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DODD'S

CHURCH HISTORY

OF

ENGLAND

FROM THE COMMENCEMENT OF THE SIXTEENTH CENTURY
TO THE REVOLUTION IN 1688.

WITH

Notes, Additions, and a Continuation

BY

THE REV. M. A. TIERNEY, F.R.S., F.S.A.

VOL. V.

Seal of Cardinal Farnese.

Seal of Cardinal Bandini.

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ADVERTISEMENT.

THE present volume, at least with the exception of a very few pages, is offered to the public as an original supplement to what Dodd has written. The short notice bestowed by that writer on the appointment of Dr. Bishop, at the end of Article v., in the preceding volume, must have struck the reader as more than usually concise. To supply the omission, I have here detailed the circumstances, and described the negotiations, which led to that important event. I have also endeavoured to make the reader acquainted with the character and administration of the two archpriests, Birkhead and Harrison; and by a dispassionate statement of the transactions connected with the foreign seminaries, and particularly with that of Douay, have sought to clear up some points in the proceedings of the clergy, which have not been sufficiently understood. I know that, by some persons, the investigation in which I have been engaged may possibly be condemned. To me, however, it appears that the interests of truth are the interests of each order and body of men. In itself,

indeed, we can have little concern with the conduct of our predecessors. It can neither diminish the lustre of our virtues, nor sanctify the errors of our proceedings: but it can supply a lesson either of encouragement or of warning; and may fortunately contribute to make us better, for the single reason that it makes us wiser, men.

To the reader of the following pages it will be superfluous to remark, that, in describing the transactions, to which I here more particularly allude, I have drawn exclusively from the private or official correspondence of the persons immediately concerned. In selecting the papers, however, which are now for the first time presented to the public, I have necessarily been compelled to limit myself to such, as were strictly required in the way of evidence. Hence, though much has been brought into the service, much also has unavoidably been excluded: details of general or remote interest have been compelled to give place to those of immediate concern; and a great deal, that would have awakened the feelings, or edified the piety, of the reader, has thus, for the present, been laid aside. But, should health and opportunity be spared to me, I still trust to supply this omission. In the course of the present volume, the reader will see that I have more than once referred to a work, entitled "*Illustrations of Dodd's Church History.*" In that work, I propose to embody the more important of the letters, which cannot be brought within the limits of the present publication. I shall select

them with reference to their general bearing on the history of their respective periods: and, as I shall confine myself exclusively to such as are English, I shall hope, by their means, to supply an interesting and accessible accompaniment to these volumes.

Arundel, June 20, 1843.

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THE

CHURCH HISTORY

OF

ENGLAND.

PART V.—JAMES I.

ADDITIONAL ARTICLE II.

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THE dissensions which had distracted and scandalized the catholic body, during the latter years of Elizabeth, had not failed to extend their influence, and to continue their operation, into the succeeding reign. For some time, indeed, the voice of discord seemed, in a great measure, to have subsided. In the hopes and fears attendant on the accession of a new monarch, in the disappointment of all that they had anticipated from the gratitude or the clemency of James, and, not less than all, in the consternation produced, first by the treason of Watson, and afterwards by the appalling conspiracy devised by Catesby, the catholic missionaries appear to have forgotten their own internal disputes, and to have surrendered every private feeling of jealousy or estrangement to the sense of general calamity. By degrees, however, as the excitement of the moment passed away, their minds relapsed into their former mood. The memory of past quarrels was recalled: fresh encroachments, on the one hand, were met by renewed opposition on the other: additional causes of complaint were discovered: slanders and recriminations again rang through the country; and the two parties of seculars and jesuits were once more ranged in open hostility to each other. A brief sketch of some of the principal subjects of contention, at this period, will not be unconnected with the following narrative.

1. The reader will recollect the decree, issued by Clement the eighth, in 1597, imposing certain restrictions on the power of granting and taking the academical degree of doctor.[1] The object of that instrument was undoubtedly wise: but its provisions were not wholly unexceptionable, and the abuses, to which it was occasionally exposed, tended only to confirm the opposition with which it was originally received. Hence the

[1] See this History, iii. 40.

decree was a constant subject of complaint among the clergy. The colleges, it was said, with the single exception of that at Douay, were exclusively under the government of the jesuits. By requiring the certificate of the rector as to the qualifications of the candidates, it placed the clergy in subjection to those fathers: it compelled them to seek their testimonials from men, whose jurisdiction should have terminated with the collegiate course; and, whilst it thus degraded their body in the eyes of the world, it told their superior that he was unqualified to report on the merits or acquirements of his own subjects. Nor was this all. As the rectors were frequently changed, so they were as frequently required to testify to the fitness of persons, whom they had never seen. Even where no change had occurred, it seldom happened that they possessed the means of ascertaining the qualifications of the candidates. Time and distance had generally severed the connexion between them. No examination was made, no evidence of proficiency was adduced. A mortifying delay of four years had perhaps damped the hopes, and checked the industry, of the aspirants; and then, without an interview, without a meeting, with no other proof of their acquirements than they had given at the termination of their collegiate studies, a certificate, which might be granted or withheld, as favour or feeling should chance to dictate, must be the only passport to an honour, as useful to religion, as it was gratifying to the ambition of the student.[1]—It must be acknowledged that these complaints were not wholly without reason.

2. For several years, the foreign seminaries had been

[1] "Rector seminariorum, à quo licentia etiam in scriptis obtinenda est, nonnunquam distat longissimè à sacerdote promovendo; ac præterea aliquando nunquam novit sacerdotem (ut, mutatis, frequenter prout fit, seminariorum rectoribus, necesse est evenire), vel præsentem ejus sufficientiam (cum à multis annis eum non viderit) ignorat" (Memorial from the archpriest's agent to Paul V., in 1609. MS. in my possession).—"Mr. Norton did not, for aught I hear, since his departure from the college, make four years study, in any university, as the brief against doctors doth require; and yet, by I know not what favour, he is admitted to be doctor: whereas Mr. Boswell, having made five years course in the famous university of Paris, was denied it." Dr. Bishop to Smith, Nov. 10, 1609, original in my possession.—*T.*

a constant source of dissatisfaction and remonstrance. Possessed of the government, the fathers of the society had also acquired the principal, if not the exclusive, patronage, of the houses over which they presided. Even at Douay, the right of presentation, though nominally confined to the archpriest and the superior of the jesuits in England, was gradually extended to other members of the order; and thus, while the clergy at home were debarred from nominating to a vacancy, except through the archpriest, the jesuit rectors abroad were permitted to exercise the privilege, as freely, and as authoritatively, as if the college had been the property of the society.[1]

3. The government, established in the seminary at Douay, was another cause of uneasiness and alarm. On the death of Dr. Barrett, in 1599, the members of the house had petitioned for a president of their own nomination. By the influence of Persons that suit was rejected: the choice made by the college was set aside; and Dr. Thomas Worthington, the nominee of Persons, was appointed to the vacant office.[2] Worthington had long been known as a blind and un-

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[1] "Jus omne mittendi alumnos ad seminaria omni ferè ex parte clero ereptum, in eorum potestatem redactum est" (Memorial ut sup. Jan. 12, 1610, original draft in my possession). "For those, and any such other who shall, at any time, come, as sent to you with ordinary letters, know that *we mean not to oblige you* to receive them. * * * *Except* they bring some extraordinary commendations, *we leave it to your discretion* to let them pass as they come" (Creswell to Worthington; see this hist. iv. App. ccxviii.).—In someinstances, this privilege was exercised even in violation of the express rules, laid down by the protector for the regulation of the house. Thus, in consequence of the pecuniary embarrassments of the establishment, it had been deemed necessary to limit the number of students to be admitted on the foundation; and Worthington, at the period of his appointment, was strictly forbidden to receive any person not qualified to commence his rhetorical course. This prohibition was to continue in force, until the debts of the house should be liquidated: and yet, only a short time afterwards, we find Persons presenting, and Worthington admitting, a youth whose acquirements would fit him only for the school of poetry,—"Commendatus à reverendo patre Personio, ad probationem in collegio admittitur, licet ad altiorem quàm poeticam classem nondum ascenderit." Douay Diary, i. 102. See Appendix, No. I.—*T.*

[2] "Rejecto sacerdote dignissimo, quem alumni in præsidem elegerant, operâ P. Personii traditum est cuidam, qui modo profitetur se facturum quicquid P. Personius jusserit." Memorial ut sup. Jan. 12, 1610, original draft in my possession.—*T.*

yielding partisan. In the dispute concerning father Holt, he had acquired some unenviable notoriety[1]: he had subsequently placed himself by vow at the absolute disposal of father Persons[2]: and now that, by the interest and direction of that jesuit, he had succeeded to the government of the seminary, his first step was, to discard the confessor of the house, and to substitute a member of the society in his place[3]. This measure, whatever may have been its motive, was not calculated to recommend him to the confidence of the clergy. They spoke of it, in fact, as a reflection on their own body: they received it as an indication of the spirit, in which the college was henceforth to be governed; and, regarding it as a prelude to future aggressions, they at once denounced it as an attempt to place the establishment under the guidance of the jesuits. Unfortunately, other circumstances were not wanting, to encrease the irritation, and to confirm the suspicions, thus produced. By degrees, the old professors were removed: the ancient institution of theological lectures was abolished: youths, only just emerging from their studies, were taken from the schools, and thrust into the chairs of divinity; and, while men, notorious for their party predilections, were associated with the president in the management of the house, a negotiation was actually opened, or believed to have been opened, with a view to surrender the establishment to the society[4]. In the meantime, the effects

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[1] See this History, iii. Append. xc. xci.

[2] See Appendix, No. II.

[3] "Curavit Personius * * * ut Barretto, seminarii Duaceni præsidi, defuncto substitueretur Thomas Worthingtonus, homo societati conjunctissimus, aliique adjungerentur pacis amantes; * * * adderetur præterea è societate vir gravis, qui, in collegio patrum diversans, quot hebdomadis adiret seminarium illud, adolescentum confessiones excepturus." More, 248.—*T.*

[4] "Statim assumptus in præsidem, missionem procuravit et obtinuit omnium doctorum et seniorum è collegio" (Visitation of Douay Coll. anno 1612, page 14, original in my possession). "Post discessum aliorum præceptorum, D. Præses præsidebat in disputationibus theologicis" (Douay Diary, i. 85). This, however, was but a temporary arrangement. In the course of a few months, the duties of the theological professorship were consigned to a succession of teachers, among whom was George Fisher, a person who, with his class, is thus mentioned in the diary,—"Die 19 Octobris, 1607, explicationem theologiæ moralis, seu casuum conscientiæ, exorsus est D. Georgius Fisherus,

of these and other innovations were already manifesting themselves in England. Subjected to no probation, trained to no discipline, the scholars were, in many instances, hurried through an imperfect course of study, and despatched, with the hasty gleanings of a few weeks' or months' instruction, to enter on the duties of the mission[1]. As they came without learning, so they not unfrequently came without virtue and without religion. Scandals of course ensued. The enemies of religion looked down with triumph on what was passing: the adversaries of the clergy pointed to the weaknesses or the delinquencies of their brethren, and, mingling truth with falsehood, exaggerating some things, insinuating others, and carefully omitting to specify the names of the accused, sought to create a prejudice against the whole body of the secular priesthood. Unfortunately, they were but too successful. The catholics, filled with a vague suspicion of danger, gradually closed their doors against every member of the clergy, with whom they

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magnæ spei adolescens. Authorem explicat, non autem dictata prælegit, quia hoc auditorum captui magis convenit, non ipsi cathedrâ digno" (Ibid. 99ᵇ).

" Ejecti sunt è collegio Duaceno prælectores sui, qui solebant esse seminarium scriptorum, &c. * * * Ad cujus (*Personii*) nutum præses collegium regit, et consiliariis et coadjutoribus jesuitis utitur; iisque ante tres annos volebat tradere collegium" (Memorial, ut sup. from the archpriest's agent, Jan. 12, 1610. See Appendix, No. III). The reader will afterwards see that the removal of the professors was in pursuance of the direction of Persons.—*T.*

[1] The diary of Douay college furnishes abundant instances of this. I will subjoin a few:—

John Farmer received the sacrament of confirmation on the twenty-second of March, 1605: three days later, he was admitted as an alumnus of the house, and received the four minor orders: on the following day, he was made subdeacon; on the ninth of April, deacon; on the twenty-fourth of the same month, priest; and, on the sixteenth of May, he was despatched to England on the mission (Diary, i. 80, 82, 83).

Francis Jackson was admitted as an alumnus with Farmer, on the twenty-fifth of March, 1605: with the same person, he received the several orders of subdeacon, deacon, and priest; and, on the twenty-first of May, he left Douay for the mission (Ibid.).

Gilbert Hunt was confirmed with Farmer, on the twenty-second of March, 1605: on the fourth of June, in the following year, he was ordained priest; and, four days later, came to England on the mission (Ibid. 80, 87).

Thomas Somers entered the college on the seventeenth of March, 1605: five days later, he was confirmed, with Farmer and the others mentioned above: on the twenty-fifth of March, in the following year, he received the order of priesthood; and, on the thirtieth of June, came forth on the mission (Ibid. 79, 80, 87, 89).

were not personally acquainted[1]. To encrease the evil, Dr. Worthington from Douay still continued to pour in his illiterate recruits[2]. It was in vain that the archpriest remonstrated. It was in vain that he pointed to the misery with which he was surrounded, to his inability to relieve the necessities of his present subjects, and to the danger of exposing men to want, in the midst of the persecution with which they were encompassed. Month after month, fresh supplies of useless labourers arrived. Idleness, and destitution, and the associations consequent on their poverty, were now added to their other misfortunes. A feeling of recklessness grew up among many of them: apostacies and immoralities followed; and all the evils, resulting from the degradation of its ministers, seemed about to descend upon religion[3].

Matthew Flathers, confirmed on the twenty-second of March, became an alumnus on the fifth of June, 1605. He was ordained priest on the twenty-fifth of March, in the following year; and, on the thirtieth of June, in company with Somers, came to England on the mission. Ibid. 80, 84, 87, 89.—*T.*

[1] "Prima causa miseriæ sæcularium sacerdotum in Angliâ, præter externas ab hæreticis profectas, est frequens à quibusdam catholicis iterata calumnia, quâ etiam præcipui sacerdotum, adeoque aliqui ex ipsis assistentibus, traducuntur, de tractando directè vel indirectè cum hæreticis. Et nonnunquam sparguntur rumores quòd tot vel tot sacerdotes, non nominato aliquo, lapsi sunt, et prodiderunt res catholicorum hæreticis. Hinc fit ut multi catholici sæculares, metuentes ne pro sacerdote recipiant proditorem, nolint recipere sacerdotes, nisi benè sibi notos" (Memorial, ut sup. Jan. 12, 1610. Original draft in my possession). Of these slanders Birkhead himself thus speaks,—"Hoc unum vobis notum esse percupiam, quòd etsi prudentiam Salamonis mihi Deus infunderet, nunquam tamen id perficere valvuro, nisi universæ calumniæ, detractiones, mendacia, omnisque maledicendi libertas, quibus ubique terrarum à nonnullis insectamur, funditùs authoritate apostolicâ supprimentur." Birkhead to card. Farnese, Dec. 6, 1610. MS. in my possession.—*T.*

[2] Thus, notwithstanding some evident omissions, it appears from the diary that, during the four years ending at Christmas, 1608, no less than forty-one priests were sent on the mission from the single college of Douay alone.—*T.*

[3] "Unde patiuntur maximas angustias. Fiunt inhabiles ad juvandam patriam, et coguntur vivere in publicis hospitiis, inter dissolutissimæ vitæ personas, cum magno tùm animæ tùm corporis periculo; et denique totus ordo sacerdotalis grave detrimentum patitur" (Memorial, ut sup. Jan. 12, 1610).

Writing to Smith on this subject, Birkhead thus expresses himself,—"Surely, some order must be taken about the coming in of our brethren. * * * Even those which have been thirty years in England are now destitute, and call to me for places of residence. Want of relief will be the bane and ruin of many of our brethren" (May 16, 1609. Original in my possession). And again, in a subsequent letter,—"More workmen do daily come over, and think much they have not relief from me; which, I assure you, they should, if I had it. But exceeding little cometh to my hands. The great gobbets go where the distributors please, who are all for our opposites; for I have, as yet, small favour

4. But the principal and enduring subject of debate was the form of ecclesiastical government, established in the person of the archpriest. The breve of 1602, by forbidding that functionary to communicate with the jesuits on the concerns of his office, had removed one of the most fruitful sources of dissension and mistrust[1]: but it had limited his jurisdiction to the priests educated in the foreign seminaries: it had left the laity without a spiritual head, the regulars with no other control than the will of their own superiors: it had, in fact, established two distinct and independent bodies of pastors, and had thus committed the English church to the separate, and sometimes perhaps opposite, guidance of two different authorities[2]. Nor were these the only in-

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amongst them. I believe it is done to weary me. * * * My old assistant, Dr. Bavant, told me that he, sending to the places of their residences within his circuit, received no other answer about the collections than that he should make none there at all, because they meant to bestow their alms only upon the fathers" (Octob. 9, 1609. Original in my possession). To the same effect, John Bennet writes to the same person, only ten days later:—"We are exceedingly oppressed," says he, "with multitude of workmen, having no means to provide for them. But the insufficiency of such as come is another shame to us. Our function was venerable here; and that respect wrought much religion in the laity: but want driveth so many to base shifts, that, if speedy remedy be not provided, we shall grow to be a scorn even to catholics themselves. * * * But add hereunto the lack of knowledge and learning, or other good parts, that most of them that now come hither are disgraced with, it is not to be expressed the obloquy the church of God endureth hourly." He then goes on to relate the case of Chambers, a person who, as we find from the diary, had been admitted an alumnus of Douay on the second of June, 1605, had been ordained priest on the seventeenth of the following December, and had shortly after been sent upon the mission. Here, as Bennet informs us, he fell into the hands of the pursuivants; apostatized; became a servant in one of the cathedrals; and, having been ultimately detected in the commission of an odious felony, terminated his life on the gallows, only a few days before Bennet wrote (Original in my possession). It is to this melancholy case that Birkhead afterwards alludes, in one of his letters to Smith. "It was true", he says, "of the priest in the west. A monstrous scandal it was, yet known to very few in these parts. If he had been relieved at the first, he had never played that part: but, finding no relief at all, he conversed at the first with heretics, and amongst them was debauched, and protested at his death that he was never infected with that abominable sin, until he joined with them." Original in my possession, April 11, 1610. See Appendix, No. IV.—*T.*

[1] See this History, iii. 54.

[2] "Hæc quidem (vitiorum germina), licet quamplurima sint, haud possunt tamen per imbecillitatem meam (cujus auctoritas in religiosos qui hìc sunt et laicos nulla omninò est, et in clerum sæcularem perexigua) aut penitùs extirpari, aut per moderatam reformationem ad meliorem conditionem reduci." Birkhead to pope Paul V., Aug. 27, 1611. Original in my possession.—*T.*

conveniences resulting from the late arrangement. In the absence of an episcopal ruler, the clergy and their friends saw that the dignity of their religion was compromised. They were sensible that, in proportion as the power of their head was lessened or divided, the respect, to which it was entitled, became necessarily diminished. They knew, moreover, that the aids of religion, always important in themselves, became doubly so, in time of persecution; and they felt that an institution, which, by depriving the people of an episcopal superior, deprived them also of the strengthening graces of confirmation, was calculated rather to arrest the progress, than to hasten the advance, of the faith.

It is not unnatural that, with these feelings and convictions, a secret wish for the restoration of the ancient hierarchical form of ecclesiastical government should have grown up and spread, among the general body of the clergy. Among the appellants, however, there were men, whose anxiety for the accomplishment of this event was, perhaps, sharpened by other and additional motives. They remembered their own sufferings in the cause: they regarded the establishment of the archpriest as the triumph of a successful opponent; and, while they looked with sorrow at the monument thus erected at home to their degradation, they knew that, abroad, their adversaries were still busy with the work of slander, their fellows still pursued by a spirit of relentless persecution[1]. Again, therefore, they resolved

[1] "At the departing of late of the bishop of Clermont to Paris, who maketh his ordinary residence in this town (*Boulogne*), I gave him information in writing of Dr. Bagshawe's dealing in Paris" (*the reader will recollect that, two years before this time, Persons had distinctly acknowledged the story of Bagshawe's "dealing in Paris" to be a slander. See this Hist.* iii. clxviii. *note*), "and also of Dr. Cecil's and Dr. Charnock's, to whom this bishop, being of great blood, doctrine, and authority, and counsellor secret and of state to the king of France, did procure a pension of the clergy of France, to remain in Mignon college at Paris, and also favours of the king. I did inform this good bishop that it was not expedient that his majesty should take the protection of some fell seditious priests, against their superior the archpriest, and our society in England, upon whose direction dependeth so great a number of catholics; nor yet that his lordship should procure them pension, to remain in Mignon college, where in sedition they procured to inform his majesty, his court, and clergy of France falsely, with lies and calumnies against their superior and our society, and

to apply to Rome for an episcopal superior: but it was necessary to consult the wishes of the body, in the first instance; and the difficulty of agreeing as to the individual, to be recommended for the appointment, for some time held them in suspense. At length, however, matters appeared to be arranged, and, early in the year
May 1606 { 1606, Champney and Cecil, two of the former deputies, set out on their way to Rome[1]. By the beginning of May they had reached their destination. To Persons their arrival seemed to threaten the destruction of all his designs. In the first instance, indeed, he had adopted the scheme of an archpriest, for the purpose of promoting a political object. That object had failed: James had been seated quietly on the English throne; and Persons, who had since been seeking to propitiate the monarch, might reasonably have been expected to abandon a device, intended originally to exclude him. But it is not thus easily that men are inclined to relinquish an advantage. If the project of an archpriest had failed in its political aim, it had, at least, insured independence to the body of which Persons was a member. To revert now to an episcopal form of government, would have the effect of curtailing this independence. It would place the jesuits, as well as the other regulars, under the control of the canons; and would thus materially affect their position and their influence among the catholics of England. It was necessary, therefore, to resist the application, which Cecil and Champney were about to make. Instead,

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occupy the nunce apostolic at Paris, and write likeways to Rome, ever kindling the fire of sedition and calumnies against the verity and virtuous dealings of their superior and our company; but, if his lordship would procure them pension, that it were, to sustain them in some diocese of bishop, to teach divinity or *cas de conscience*, and not to remain idle in Paris, to trouble the peace of others. My lord bishop promised me to confer with father Coton, and after his advice to proceed. The same did I write to father Coton:—and these are the offices I do." Father Creitton to father Owen, June 4, 1605. Orig. Stonyhurst MSS. Ang. A. iii. 55.—*T.*

[1] They carried with them the suffrages of no less than seventy of their brethren, of whom, however, one or two are said to have afterwards denied their connexion with the petitioners. Jesuits' Memorial in 1612. It will be found hereafter in the Appendix, No. XIX.—*T.*

however, of discussing their arguments, or debating the subject of their request, Persons resolved, as usual, to assail their characters, and, if possible, to deprive them of the opportunity of executing their mission. With this view, therefore, he began by drawing up a memorial, to be presented to the pope as the address of the archpriest's agent. In it, he denounced the two deputies as the enemies of religion, spoke of one, in particular, as the calumniator of the holy see; and concluded by praying that Cecil, at least, might be immediately seized by the proper authorities, and compelled to give security for his appearance, to answer the several charges that were about to be preferred against him. Other memorials, in the same style and from the same pen, speedily followed. As students, it was said, the parties in question had been distinguished for their turbulence: as missioners, they had been known only for their constant and familiar intercourse with the enemies of their faith. They were the friends of heretics: they were the agents and the emissaries of heretics: to heretics they had already betrayed the counsels of the holy see; and to heretics they would again become the useful instruments of mischief, unless, to prevent it, they were now placed upon their trial, and dealt with according to justice and the laws.[1] It does not appear that Persons was gratified, in this instance, as in that of Bishop and Charnock, with the adoption of the extreme measures

[1] "Nessuna compositione basterà per farli *(i sacerdoti appellanti)* tornare in gratia delli buoni cattolici, per non potersi detti cattolici fidare da loro, senza manifesto pericolo d'essere traditi, per l'intelligenza che hanno alcuni di loro con gli heretici. * * Et questo è tanto notorio, che gli cattolici Inglesi, si in Fiandra, come in Inghilterra, si rallegrano d'intendere che questi duoi sono venuti à Roma; persuadendosi che Dio lo ha cosi ordinato, accioche possano essere castigati, secondo il merito loro. Però se vedranno il contrario, resteranno non meno maravigliati et stupiti, che sconsolati et afflitti, et gli heretici contentissimi per potere sperare che, per mezzo de questi loro instrumenti, potranno anco, all'avenire, stendere le prattiche et inganni loro fin à Roma, et al manco spargere voci et rumori falsi in questa corte, in pregiuditio delli buoni cattolici, come fecero gli appellanti l'ultima volta che vennero quà, et fanno adesso, come si potrà provare. * * *

"Il rimedio di tutto questo mi pare esser, che V.S. si degni di ordinare che sene piglii informatione, *** et trovandosene bastanti testimonii, V.S. sia servita di farne la demostratione, che richiederà la giustitia." Persons's Memorial to Paul V., MS. in my possession. See Appendix, No. V.—*T.*

which he here suggests. But his principal object was obtained: the petition of the deputies was rejected; and, for the present at least, the hopes of the clergy were once more defeated.[1]

But the removal of Blackwell, and the nomination of Feb. 1, 1608 Birkhead, the friend of Persons, to the office of archpriest, in 1608, again opened the way for petitions and remonstrances against the existing order of things. To Birkhead himself, a man of peaceful and unpretending habits, the appointment came as a subject both of surprise and alarm[2]: to the clergy generally,

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[1] "Ex sacrâ congregatione sancti officii, audiente et referente illustrissimo cardinale de Bubalis, omnibus discussis ac perpensis, benevolè quidem dimissi sunt à suâ sanctitate, re tamen ut prius infectâ, et denegatâ postulatione" (Jesuits' Memorial, in 1612. MS. in my possession). The question, however, seems to have been revived, and apparently by Persons or his friends, in the following year, when Nicholas Fitzherbert, formerly secretary to cardinal Allen, wrote to father Augustine Bradshaw, the benedictine prior at Douay, announcing the fact, and requesting his opinion on this sudden and unexpected movement. Bradshaw's reply has been preserved by Dodd. Having expressed his astonishment at the intelligence conveyed in his friend's letter, the writer proceeds to assert the necessity of an immediate attention to the restoration of the hierarchy in England. That bishops, he says, are requisite, to strengthen the laity, to control the clergy, to render religion herself more dignified and more powerful in the eyes of her opponents, there can be no doubt. But they must be men, freed alike from the trammels and from the suspicion of party. They must be selected from the adherents neither of Persons on the one hand, nor of the appellants on the other. Like Kellison, or Smith, or Giffard, or Pitts, among the clergy, or like Fitzherbert himself among the laity, they must be acceptable to the catholics, unsuspected by the government, and qualified, by their innocence, their mildness, and their learning, to mitigate that hostility which their appointment is likely to create among their countrymen. Let such men as these be invested with the episcopal character, and the happiest results may be anticipated: but let faction or party views determine the selection, let the nomination fall on persons, whose conduct or connexions are unfavourably regarded by the country, and not only will religion be scandalized, as heretofore, by the dissensions of her children, but her enemies, gladly availing themselves of the pretext, will at once renew the persecution, and perhaps exterminate the shattered remnant of the English church (See the whole letter, with the interesting sketches of character which it contains, in the Appendix, No. VI.). From what followed, as well as from a passage in Bradshaw's letter, it would appear that Persons, when he came forward to advocate the nomination of bishops, had in view the appointment of his own dependants,—thus securing the influence of his own body, at the same time that he seemed to yield to the demands of the clergy. The question, however, from some cause or other, was soon laid aside.—*T.*

[2] "Audito enim rumore de isto archipresbyteratûs onere super humeros meos imponendo, ne vivam si non, obstupefactus ad illa nova, illicò literas meas ad R. P. Patrem Robertum Personium direxerim, ut pro veteri inter nos amicitiâ, et pro eâ notitiâ quam de insufficientiâ meâ longo tempore habuerat, hoc magnum à me et periculosum pondus avertere omni conatu laboraret" (Birkhead to

who had been left in utter ignorance of the intended change, it presented matter of the most solemn and important consideration. Their first impulse was, to address the pope, and to remonstrate against a proceeding, adopted at the suggestion of the very men whom they regarded as their opponents. But calmer reflection taught them to pause in the adoption of a course, as imprudent as it was hasty. Instead of hurrying at once to Rome, they resolved, in the first instance, to address the archpriest himself. They waited upon him in a body: they expressed their sentiments on what had occurred; and they finally requested to be informed of his intentions, on the three following points, — 1°. Would he abide by that clause in the papal breve, which forbad him to consult the jesuits in matters belonging to his office? 2°. Would he choose his assistants, as occasion should offer, from among the leading members of the clerical body? 3°. Would he govern the clergy as their pastor and father, promoting their interest and happiness by all lawful means, and refusing to establish the power of another body on the ruins of their independence?—Birkhead solemnly engaged to fulfil each of these demands; and the clergy, in return, at once accepted him as their superior, and promised obedience to his authority[1].

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cardinal Blanchetti, December 6, 1610. Birkhead's own copy in my possession).

"I had your former last letters, of the second of March, for avoiding the burden; but it was not possible. You must think God hath chosen you to bear the brunt; and there is no remedy but to put your shoulders under it. You know how many good men of old did hide themselves, in more calm times than these are, but yet God found them out, and they could not escape" (Persons to Birkhead, May 18, 1608. Copy in Dodd's MS. of his history, iii. 138).—The reader will hereafter see this subject mentioned again in Persons's letter of July 5, 1608.—*T.*

[1] "Quæ res (the appointment of Birkhead) cum clero innotuisset, novumque archipresbyterum, quòd æmulorum factione promotus esset, ex recenti prædecessoris exemplo suspectum haberet, novam ad sedem apostolicam meditantur appellationem. Verùm graviores aliqui è clero, turbas declinare cupientes, tentandum existimarunt si pacificis mediis omnia componi possent. * * Novum igitur archipresbyterum conveniunt, et primùm ab eo petunt ut Clementis octavi breve, de non consulendis in cleri regimine jesuitis, se observaturum illis sanctè promitteret: deinde, ut assistentes è gravioribus sacerdotibus, prout occasio tulerit, deligeret: denique, ut omnia consilia sua, tanquam cleri pastor et pater,

But there was that in the views and temper of each party, which was not likely to leave this amicable arrangement undisturbed. When the archpriest pledged himself to abstain from all official communication with the jesuits, he seems to have felt that he was yielding, not so much to the demands of the clergy, as to the necessity of an existing law. As reflection returned, however, he began to question the accuracy of his first impressions. A wish to employ the counsel of the fathers soon produced a doubt of its illegality; and, to satisfy his mind upon the subject, he wrote to Persons, stating his desires and his difficulties, and requesting to know whether the restrictions imposed upon his predecessor were equally binding upon *him*. Persons saw that the opportunity had now arrived, for which he had long been waiting.[1] In a letter, filled with expressions of the warmest attachment to his correspondent, he promised him to lay the matter before the pope, and in due season to acquaint him with the result. In the meantime, however, he exhorted him to dismiss his scruples; assured him that, by consulting the fathers in the affairs of his office, he would contravene neither the intentions of the late, nor the wishes of the present, pontiff; and finally engaged that, if, by his conduct, he would prove himself a constant adherent of the society, the latter would employ the whole weight of its influence and of its means, to support him against the efforts of his opponents[2]. Birkhead gladly caught at the

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ad ejusdem cleri profectum, commoda, et utilitatem conferret, nec aliena ædificia super ejus ruinis struere moliretur. Quibus omnibus sanctè et in verbo sacerdotis promissis, illi vicissim pro superiore eum agnoscunt, omnemque illi obedientiam pollicentur" (MS. Relation, by Edward Bennet, Original in my possession). I must add the words, with which the same writer concludes his narrative,—"Id etiam observatu dignum censeo, optimos pontifices has tam periculosas novitates, ex sinistrâ rerum nostrarum relatione inductos, permisisse, quas sanè, ipsâ veritate perspectâ, nunquam passuri fuissent: ex quo postremò manifestum evadit, quàm necessum sit ut cleri Anglicani procurator in urbe semper versetur, qui rerum Anglicarum statum ad sanctissimum dominum nostrum, pro natâ occasione, referre, et ejusdem negotia apud sanctitatem suam fideliter ac sincerè tractare possit."—*T.*

[1] See this History, iii. clxxiv. note.

[2] "I terum ad ipsum (Personium) dedi literas, quibus significavi desiderium meum eo tempore tractandi cum patribus societatis, de cunctis negotiis nostris;

specious assurances of his friend, and instantly agreed to adopt his suggestions. A correspondence on the affairs of the clergy was now regularly opened with the fathers. At home, the superior of the society was consulted on all matters of moment: at Rome, every letter and application to the holy see passed open through the hands of Persons, to be delivered or suppressed, as he might judge convenient.[2] It was in vain that the clergy remonstrated against these proceedings: it was in vain that they reminded the archpriest of the engagements which he had contracted, and of the mischiefs which his conduct was calculated to produce. Secure in the protection of the fathers, he thought that he might

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id tamen illis sacerdotibus quorum curam sanctitas sua mihi commiserat, vel fortè commissura erat, *pro majore parte longè ingratissimum fuisse.* Undè sæpiùs posteà eundem præfatum reverendum patrem per literas instanter rogabam, ut illum mihi scrupulum auferret, ac fidelitèr explicaret nùm sine violatione brevis felicis recordationis Clementis octavi, et offensione S.D.N., ipsorum operâ uti possem: sciebam enim sacerdotes tam apertis rationibus contra illam meam determinationem quotidie adorituros, ut, nisi authoritate sanctitatis suæ fultus essem, ipsos patres, juxta tenorem dicti brevis apostolici, pro studio pacis impellerer prorsus derelinquere. Ad hanc dubitatiunculam nullum aliud unquam dedit responsum bonus ille pater, quàm quòd de illo scrupulo sanctitatem suam consulere vellet, ideoque bono animo essem, nec quicquid pertimescerem; cùm certum sibi esset, cum ipsis patribus nostra negotia communicando, nullam supradicto brevi inferri injuriam, neque id voluntati sanctitatis suæ repugnare. Multis præterea cohortationibus animum meum excitavit, imò et promisit, nullum mihi subsidium defuturum quod ipsa societas præstare posset, si constanter ipsis adhærerem. Unde aliquantulum hisce vocibus animatus, menses aliquot (invitis fratribus) patrum consiliis et operâ usus sum" (Birkhead to cardinal Blanchetti, Dec. 6, 1610. Birkhead's own copy, in my possession). The reader will hereafter see the confirmation of this statement, in a letter written by Persons himself, on the 21st of August, 1608, and printed in No. VIII. of the Appendix.—*T.*

[2] "Since which time, father Persons, having had occasion to go to his holiness, hath dealt with him about your faculties (Fitzherbert to Birkhead, June 21, 1608, in Dodd's MS). "Archipresbyterum jussit Personius ut literas, quas vel ad sanctissimum dominum nostrum, vel ad illustrissimum protectorem aliquando scripturus esset, easdem omnes, non obsignatas, sed patentes apertasque ad se et suum Fitzherbertum, tanquam puerulus ad pedagogos, mittat" (Mush to cardinal Arrigoni, Jan. 30, 1609. Orig. in my possession). As a confirmation of this fact, it is not, perhaps, unworthy of remark, that the same custom of sending all official communications through Persons existed during the administration of Blackwell. I possess many of that superior's letters, which have all evidently passed through this channel: but one in particular now lies before me, too remarkable to be left unnoticed. It is addressed to cardinal Farnese, and is written for the express purpose of obtaining a reversal of that part of the papal breve, which had forbidden all official communication between the archpriest and the jesuits. It is dated on the seventeenth of October, 1603, rather more than twelve months after the prohibition had been in force; and

defy the reclamations of his own body; and, for some time, the mission seemed to have been placed at the absolute disposal of the society.

But Birkhead was not formed to live, for any lengthened period, in an atmosphere of contention and of doubt. By degrees, he became uneasy amidst the excitement by which he was surrounded. He found, moreover, that the assurances of Persons, as to the intentions and wishes of the pope, remained unsupported by other authority; and, as he began to mistrust the guide in whom he had hitherto confided, he not unnaturally turned to the contemplation of such measures as were best calculated to reestablish the tranquillity that had been disturbed. His first step was to assemble the leading members of the clergy, and to explain to them his anxiety for the restoration of harmony among the body. He then proceeded to select a certain number of the appellants to act as his assistants; invited the principal persons among his subjects to confer with him on the necessities of the time; and, having thus ascertained the general wish for an episcopal form of government, finally consented to unite with his brethren in representing their desires to the pope. After some debate, it was resolved that Dr. Richard Smith should proceed to Rome, with instructions to communicate with Persons and Fitzherbert, and, in accordance with their advice, to conduct the negotiation committed to his care.[1]

April.

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yet, to shew how daringly the commands of the supreme pastor could be defied, the seal is actually that of the secretary of the society, and its address is in the handwriting of Persons himself!

There is another fact, which has sometimes been referred to. About the year 1606, Lord Montague had forwarded an address to the pope, praying for the appointment of bishops. This paper had been entrusted to Persons, but had not been presented. Montague afterwards heard and complained of its suppression; and Persons, who had not only suppressed, but had also opened, the letter, declared, in justification of the fact, that he was consulting the safety of Montague, and had only withheld the document itself, in order to lay its contents more briefly and more effectually before the pope. It is singular, however, if this were the case, that Persons should have suffered two years to elapse, without communicating the matter to Montague, and that the latter, who received no answer from the pope, should have been left accidentally to discover what had occurred. See Appendix, No. VII.—*T.*

[1] The debate turned on the question of sending a special agent to Rome.

When the clergy assented to this arrangement, they might reasonably have expected, that, by associating the jesuit and his friend with the proposed agency, the opposition of those parties at least to the appointment of the agent would have been prevented. In this, however, they were doomed to be disappointed. No sooner

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Partly from a lingering confidence in his friends, and partly from a fear that, by setting them aside, he might possibly offend the pope, Birkhead wished to entrust the whole management of the negotiation to Persons and Fitzherbert. The clergy, on the other hand, demurred to this arrangement. They maintained that men, living in Rome, and acquainted only by report with the situation of religion in England, were not qualified for the proposed task; and they insisted, therefore, on deputing some member of their own body, whose personal experience would enable him to give a full statement of the wants and miseries of the English church. Birkhead compromised the matter, by agreeing to send Smith, and binding him to consult Persons and Fitzherbert:—"Justis meorum clamoribus lacessitus, aliam viam ingredi necesse habui. Hinc enim ego, non aliter certior factus de voluntate sanctitatis suæ, quàm per reverendum patrem Personium, alia pacis remedia adinvenire cœpi. * * * Advocatis igitur eorum nonnullis, quos doctrinâ, gravitate, atque rerum experientiâ aliis præcellere animadvertebam, comitèr eosdem excepi, mitioribus verbis tractavi, atque ut sese libenter ad pacem et concordiam ineundam componerent attraxi; atque quò firmiùs mecum unirentur tempore succedente, partim felicis recordationis Clementis octavi mandato innixus, jam tres vel quatuor ex ipsis in numerum meorum assistentium cooptavi. * * * His autem à me peractis, postquam (aliis ex fratribus nequaquam rejectis, sed multum desideratis) bis vel ter inter nos (sicut tunc pro temporis ratione poteramus) de rebus nostris et de pace constituendâ etiam cum patribus societatis, sermones contulissemus, dici non potest quam vehementer, *nomine majoris partis sæcularium sacerdotum*, à me petierint, ut aliquem ex meis aptum et idoneum priùs Romam destinare vellem, qui renunciaret S°. D°. N°. tùm necessitates nostras, tùm etiam quàm facilè (eo præcipiente) pax inter nos ipsos reddi, ac simul amicitia etiam cum patribus societatis contrahi, posset. Ad hanc autem ipsorum postulationem ego parùm fluctuans statim respondi, hoc a me prudenter concedi non potuisse, commorantibus istic reverendis patribus, patribus supradictis, summo pontifici ob pietatem et prudentiam notissimis, quique res nostras sincero corde tractare promiserant. Hac autem à me datâ responsione, acriùs profectò commoti, splendidis firmisque rationibus probare nitebantur, dictos patres Romæ commorantes non tàm idoneos esse ad explicandas nostras miserias, quas minimè sentiebant (omnia ex aliorum incerto relatu percipientes), quàm unum è nostris fidelibus, qui, tantarum calamitatum testis oculatus et particeps, eas sanctitati suæ majore sensu ac commiseratione valebat exprimere. Et hoc quidem modo ego tandem superatus, ægrè illis consensum adhibui de reverendo domino Ricardo Smitheo Romam mittendo, eâ tamen conditione, ut quæ in mandatis habuit omninò communicaret cum reverendis patribus præfatis; eò quòd spem aliquam concepissem nolle eos resistere, sed ei potiùs ad nostra negotia perficienda adjumento esse. Duo enim me pertraxerunt statuere ut cum ipsis res nostras communicaret,—primò, metus ne, illos excludendo, sanctitatis suæ beneplacito fortè obsisterem, ita insinuante R. P. Personio, dum scriberet potuisse me illorum consilia et operam, nonobstantibus literis felicis recordationis Clementis octavi, tutò acceptare: secundò, fiducia, ut dixi, quam in ipsis reposueram, promovendi illa capita quæ per præfatum D. Ricardum Smitheum sanctitati suæ proponenda direxeram." Birkhead to Cardinal Blanchetti, ut sup. Dec. 6, 1610.—*T.*

May 31. had information of the intended mission reached Rome, than Persons wrote to Birkhead, first condemning the design, and afterwards assuring him that no envoy from England would be received or acknowledged by the pope. Fitzherbert, the friend of Persons, and the man who had hitherto acted as the ostensible agent of the archpriest, addressed him to the same effect: others followed in a similar strain; and, for several months, it became the great object of his correspondents to induce or compel him to abandon all further proceedings in the matter. In one point, the jesuit and his friends were successful. Doubtful as to the influence of his arguments with the archpriest, Persons, during the course of the summer, seems to have resolved, if possible, either to forestall the clergy, or otherwise to render the deputation, at least in its principal object, useless. In pursuance of this plan, he began by renewing an attempt made in the preceding year, for obtaining a bishop suitable to his own views;

July 5 and 27. and then wrote, and caused Fitzherbert to write, to Birkhead, informing him that the subject was under the consideration of the cardinals, and suggesting that the proposed mission should at least be postponed, until the decision of the congregation was known. To prepare him for some delay, it was added that letters had been written, and difficulties raised, by the opponents of the measure, which must necessarily retard the business. These, however, by Persons' advice, would be shortly forwarded to him for solution: and, at the same time, he would, in all probability, receive an official order, empowering him, as archpriest, to furnish a list of four or five names, from which a selection for the episcopal office might be made. Neither the "difficulties" nor the order ever came: but, six

Aug. 2. days later, Fitzherbert wrote a secret letter to Worthington, inviting *him* to accept the appointment; and, when this negotiation failed, a decree, evidently suggested by Persons[1], was immediately for-

[1] It is right that I should state the grounds of this assertion. From Fitzherbert's letter, written on the fourth of October, it appears that the decree was

warded to the nuncio at Brussels, and through him to Birkhead, declaring that, until every member of the clergy should concur, not only in petitioning for an episcopal superior, but also in recommending the particular individual to be preferred to that dignity, no proposal on the subject would be entertained[1]. Birkhead saw at once the difficulty in which this decision must necessarily place him. If he permitted Smith to proceed to Rome, as originally intended, he should incur the displeasure of the pope: if he waited to collect the suffrages of men scattered over the country, and never meeting or communicating without danger, he should, in all probability, defer the proposed mission to an indefinite period[2]. In the meantime, there were other matters of importance, which he was anxious to lay

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not passed by the pope, until the eighteenth of September. On the fifth of that month, Fitzherbert applied for an answer, and was told that the point was "now in consultation" (Fitzherb. to Birkh. Sep. 6). On the thirteenth, Persons himself speaks of the subject as still undecided: he even says that objections have been raised, which make him fear for the result; but expresses a hope that the congregation will still "remit the matter" to England, as he had originally intimated. Yet so early as the fourth of September, nine days before he thus writes, and fourteen days before the decree itself was passed, he actually announces it to Birkhead, almost in the very words in which it is afterwards described by Fitzherbert, and pretends to forward it to England, as the authoritative decision of the pope himself!—The letters will hereafter be found among the correspondence in No. VIII. of the Appendix.—*T.*

[1] It may be asked why I admit this document on the authority of Fitzherbert, while I reject the several prohibitions, said, by the same authority, to have been issued on the subject of the agency. I answer, that, in this, I follow the example of Birkhead himself. He acted in obedience to the decree, and consequently must not only have believed its existence, but must also have received it from the nuncio, to whom Fitzherbert informs him it had been sent: but he evidently disbelieved the existence of the prohibitions; and therefore he refused to abandon or suspend his preparations for the intended mission. The event proved that he was right.—*T.*

[2] Addressing Smith, some months later, on this subject, Birkhead thus expresses himself,—"My old friend" *(Persons)* "hath written unto me, that his holiness daily expecteth what I shall write about the general collection of all men's names, which he will have, before he grant us bishops. But you know it is impossible for me to get the names of all our brethren. Some will never give their consent: and therefore, if the greater part will not serve, then, I suppose, the suit for bishops will be in the dust" (June 25, 1609, original in my possession). This, as Birkhead afterwards observed, must have been foreseen by the author of the decree (letter to Smith, May 4, 1610, original in my possession): for, at the very moment when he was requiring the signatures of all the clergy, he knew that some had already written to Rome in opposition to the measure.—*T.*

before the supreme pastor. With the consent of his friends, therefore, he resolved, for the present, to waive the application for bishops; and, until the signatures of his brethren could be obtained, to confine his efforts to the removal of existing abuses, and to the establishment of confidence between the seculars and the jesuits. Smith's commission was now revised. He was instructed to ascertain how far the prohibition, which forbad Blackwell to communicate with the fathers of the society, was binding upon Blackwell's successor; to lay before the pope a full and detailed account of the situation of religion in England; to request that the students in the seminaries might neither be hurried through their courses, nor debarred, when properly qualified, from taking their degrees; and finally, in addition to theological lecturers for Douay, and a provision for the projected college of Arras, with which the reader is already acquainted, to obtain an order which should at once restrain the superiors of the colleges from inundating the mission with superfluous labourers, and forbid them to disgrace the clerical body, by continuing to fill it with ignorant and incompetent members. At his own request, Thomas More, a secular clergyman, and the great-grandson of the celebrated chancellor, was associated with him in
1609 Feb. 26. the agency; and, on the twenty-sixth of February, 1609, the two envoys set out upon their journey[1].
May 12. It was on the twelfth of May, that Smith and his companion reached the Roman capital. Aware of what was passing in England, and convinced at length of his inability to prevent the intended mission, Persons had already affected to become the advocate of what he had previously condemned, and, by qualifying his former declaration, had even sought to prepare the agent for

[1] See Appendix, No. VIII. "Our friend, my factor, departed with his companion, Mr. More, out of this land, upon the twenty-sixth of February, at two of the clock in the morning" (Birkhead to Edw. Bennet, March 8, 1609. Original in my possession). Colleton had offered to accompany the deputies, at his own expense, and had written a beautiful letter to Persons, on that and other subjects. The letter will be seen among the other correspondence in the Appendix.—*T.*

a favourable reception from the pope[1]. In the same spirit, he now came forward to greet the envoy on his arrival, and to offer him, for the usual term of eight days, the accommodation and the hospitality of the college. Smith accepted the offer, and availed himself of the opportunity, to unfold the nature of his commission. He exhibited his instructions: he explained the different points, on which he was about to negotiate; and he besought the father to co-operate with him in the prosecution of a suit, as essential to the interests of religion, as to the establishment of harmony among the several members of the English mission. But it was soon evident that Persons, though he had engaged to support, was really determined to counteract, the efforts of his guest[2]. Among the particular objects of the embassy, the first related to the breve of pope Clement, and to the disputed right of the archpriest to consult the jesuits on matters relating to the government of his clergy. Persons, who had formerly promised to lay this question before the pope, now objected to submit it to his decision: Smith, on the other hand, denied that he should be justified in withholding it from the pontiff, but offered to propose it in whatever form the jesuit or his friends should advise. To this, however, the father again demurred: again Smith pressed it on his attention; and Persons, at length, as if seized with a sudden scruple, pointed to the instructions of the archpriest; remarked that, by that instrument, his power to offer advice was made contingent on the approbation of the pope; and declared that, until the consent of the pontiff, or the sanction of his general, should have been obtained, he could take no part in the discussion of these matters. Fortunately, the general, who had been absent from Rome, returned at the moment. The points contained

[1] The letter here alluded to will be found in the Appendix, No. IX. It was written on the fourteenth of February, and did not, consequently, arrive, until after Smith had left England.—*T.*

[2] To avoid the constant repetition of the two names of Persons and Fitzherbert together, I will here state, once for all, that the latter, who evidently acted under the direction of the former, adopted all the views, and joined in all the opposition, of his associate.—*T.*

in Smith's instructions were immediately laid before him and approved; and Persons, without further waiting to obtain the pope's license, proceeded to adjust, with the agent, the terms in which the present matter was to be submitted to the papal decision[1].

May 24. Smith's first audience with the pontiff was fixed for Sunday, the twenty-fourth of May. On that day, accompanied by More and Fitzherbert, he was introduced to the presence of Paul. Having stated the general objects of his mission, he proceeded to address the pontiff on the causes which had led to it, and on the claims of the English clergy to the consideration of the holy see. The time had been, he observed, when harmony reigned undisturbed among them; when piety grew up, and learning flourished, and an ardent zeal for the propagation of religion animated their thoughts, and directed all their actions. But, with the death of Allen, these things had passed away. Their learning had decayed, their zeal had become extinguished; emulations and dissentions had sprung up, to disturb their happiness and mar the glorious enterprise in which they were engaged. It was to seek a remedy for these evils that he now appeared at the feet of the supreme pastor. He came, not as the agent of a party, but as the representative of the whole body of the secular clergy,—of those men who had projected the seminaries, who had led the way in the great work of regenerating their country, and who, without detracting from the merits of their less numerous brethren among the regulars, had shed ten-fold more blood in the cause of religion, than all the religious orders together. It was in the name of such men that he now addressed the father of the christian world. It was the first time that they had sought access to his presence: it was the first

[1] "Itaque primam supplicationem suam contulit cum P. Personio, *et prout voluit correxit in quibusdam*" (Smith's own narrative, MS. in my possession). I am the more particular in noticing this, because, as the reader will presently see in the appendix, Persons afterwards not only misrepresented the nature of Smith's first application to the pope, but also charged him and his companion, More, with having been "more heady and resolute in their opinion" upon this subject, than any persons with whom he had ever before been engaged.—*T.*

prayer which they had preferred to his paternal kindness. To this prayer they felt assured that he would not be deaf; and to its accomplishment they looked forward, as the best means of confounding the adversaries of their faith, as the most convincing evidence that their own labours in the cause of God had been approved. At the close of this address, he stated the several points to which he was commissioned to draw the attention of the holy see. He then presented a memorial, referring to the breve of pope Clement, and requesting to know how far the clause, which forbad Blackwell to hold official intercourse with the fathers, was binding on the present archpriest. Paul instantly replied that Blackwell and Blackwell's successors were equally included in the prohibition: and, a few days later, a written announcement of this decision was officially despatched by cardinal Blanchetti to England[1]. June 6.

From the judgment thus easily obtained on one point, Persons naturally turned with apprehension towards those which were immediately to follow. Though he affected to speak with satisfaction of the present decision, it was evident that he regarded it with feelings of deep and unqualified mortification. He saw, in fact, that it must destroy the influence which he had hoped to exercise over the counsels of the clergy: he felt that, in impairing his own resources, it strengthened those whom he regarded as his opponents; and hence, while, on the one hand, he besought Birkhead to continue his "friendly correspondence," and expressed a wish for "more communication in affairs," on the other, he boldly declared that himself and the fathers were not

[1] See Appendix, No. X.—Birkhead, on receiving "the joyful news" of this decision, thus writes to Smith,—"I doubt not but that your good beginning will produce also some better effects. The archpriest hath written a general letter to his assistants, of the said good news; in the which he moveth them to exhort all our brethren to peace and quietness, and, now that our government is by his holiness so resolutely devolved over to ourselves, to be more industrious and vigilant in their office, and, by all means, with kind and courteous behaviour, especially towards the fathers, to preserve the peace which his holiness intendeth." July 20, 1609. Original in my possession.—*T.*

included in the papal prohibition; and proceeded at once, with renewed and undisguised energy, to counteract the efforts of the two envoys[1]. As usual, his first step was, to assail the character of the principal agent. With this view, he began by composing two sets of letters, both addressed to Birkhead, but one framed for the purpose of being communicated to the clergy, the other written under the strictest injunctions of secrecy. The first spoke of his attentions to Smith, and of the harmony in which he was living with that clergyman: the second described the agent in the most unfavourable terms, represented him as the friend of the appellants, and as a person already tainted at Rome with a suspicion of heterodox notions, and finally endeavoured to impress the archpriest with the belief, that, in selecting this man for his representative, he had committed himself to the hands of one, who would readily sacrifice him to his own passionate conceits. The object of these and other letters was evidently, to induce Birkhead to recall Smith, and thus to terminate the present negotiation[2]. Disappointed however in this, another, and it was hoped a more effectual, course was now adopted. A body of slanders written from England by Holtby, the resident superior of the society, was eagerly collected: parties were employed to watch the conversation, and to register every unguarded expression of the agent; and, while his writings were searched for matter of cavil and denunciation, memorials, charging him with maintaining unsound opinions, and with holding secret intercourse with the enemies of religion in England, were drawn

[1] "Albeit I perceive * * * that you esteem yourself bound to have less intelligence with me and mine than heretofore, in respect of the late order, procured from hence by your agent, *yet do I not think that I am* ANY WAY *restrained from writing or dealing with you thereby*" (Persons to Birkhead, October 30, 1609. The letter will hereafter be found in the Appendix).—"I well perceive, by some signs, that my old friend" (Persons) "liketh not this new order, though he outwardly give shew to the contrary. It seemeth he will still cross our informations. But no remedy. Let us remain within the bonds of charity towards him." Birkhead to Smith, October 30, 1609, original in my possession.—*T.*

[2] "Tùm ad revocandum procuratorem meum, tùm ut nec alias difficultates ulteriùs proponam, non parùm sollicitor." Birkhead to Pope Paul V. Feb. 5, 1610. Original in my possession.—*T.*

up and presented to the pope[1]. To aid this attack, an attempt was made to impeach his commission, and even to throw a doubt on the character of his agency. The archpriest, it was said, was acting under constraint. He had no wish to disturb the present order of things, no desire to trouble the holy see with these applications. But he was in the hands of a party: he was borne down by the clamours of Lord Montague and a small faction

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[1] "Poor recusants are still ransacked by the bishops' pursuivants. One Finch, a priest, is joined with them; and some four or five more, *not yet discovered*, are *said* to be intelligencers for the bishops, and to give notice of all they know: whereof Leak is named for one, *a principal factor for bishops, with Mr. Colleton, Mush, R. S.* (Smith), *Bishop, and others. My lord of Canterbury looketh daily for news of R. S. his negotiations*" (Holtby to Persons, May 6, 1609, MS. in my possession).

"R. S., agens archipresbyteri et cleri Angliæ, exponit quòd, cum ante quatuor annos, jussu sui superioris, scripserit in Anglia librum pro fidei et sedis apostolicæ defensione, * * * is liber nuper à quodam delatus est ad hoc sacrum tribunal," &c. (Smith's Memorial to the cardinals of the inquisition, original draft in my possession).

"Alcuni cattolici dubitano che vi sia la mano anche indirettemente dell' arcivescovo heretico di Cantuaria, o di Cecilio, o di qualche altro consigliero, per eccitare et fomentare nuove discordie * * *; et tutte o la maggiore parte di queste novità s'attribuiscono a questo dottore Ricardo, agente, et alli suoi avisi appassionati" (Persons' Memorial against Smith, 1609. MS. in my possession).

Of some of these charges Birkhead thus writes,—"For the calumniations that you in your former letters do mention, that some of your friends here do deal with the council, * * * if my old friend (Persons) persist in that course, I doubt not but to get Mr. Colleton, Mr. Dr. Bishop, and Mr. Mush, to come to purge themselves, if you think it necessary. * * * I have often written to my old friend that his informations are false; but I perceive my words are of no moment with him" (Birkhead to Smith, Sep. 17, 1609. Original in my possession). And again,—"Quòd etiam reverentia tua mediatè saltem cum hæreticis tractet, *egregia calumnia est.* Sed non te moveat: jam enim in loco constitutus es, ubi tuis piis laboribus à suspicione tanti criminis teipsum liberes. Quinimò si opus tibi fuerit testimonio nostro, cum studium ac fidelitatem tuam satis noverimus erga sedis apostolicæ dignitatem, non morabimur illud perhibere" (Birkhead to Smith, Aug. 18, 1609. Original in my possession).

Addressing Blanchetti also, and speaking of the charge against Smith's book (The Answer to Bell's Downfall of Popery), he says,—"Quid enim magis pacem nostram turbare potest, quàm ut quem ego, ex consensu multorum virorum prudentium, ad sedem apostolicam contra hæresim destinavi, uti virum modestum, discretum, et doctrinâ et verâ fide conspicuum, et cujus librum adversus impium illum apostatam, antequàm hinc discederet, *ego totum perlegens*, pro exiguâ meâ in rebus theologicis peritiâ, *sanum inveni, et in nihilo fidei catholicæ Romanæ contrarium*, is jam occultè apud celsitudines vestras traduceretur, et maliciosè in suspicionem nefarii cujusdam dogmatis, nullâ justâ causâ prolatâ, tùm ad infirmandam illam fidem quam ei exhibueram, tùm ad infamiam ejus maximam et nostram, à quibusdam calumniatoribus devocaretur?" Feb. 23, 1610. Orig. in my possession.—*T.*

of the appellant priests; and it was only through the importunity of these persons that he had yielded to the adoption of the present measure[1]. It is not to be expected that, in the face of an opposition thus determined and unscrupulous, the negotiations of Smith could have been attended with much success. Unsuspicious, in fact, of his adversary, and trusting to the approbation already expressed by the general, that agent continued, for some time, to advise with Persons on the several points to be submitted to the pope[2]. By degrees, however, he became sensible of his real position. He saw that, in private he was opposed, in public he was crossed and disappointed: he felt that the object of his pretended counsellor was to obstruct or defeat his mission; and he resolved, at length, to adopt the letter of the papal

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[1] "Li sacerdoti, che si chiamano appellanti, stavano gia quasi totalmente quieti, quando si fece questo nuovo arciprete, il quale giudicando che sarebbe la strada di far maggior pace, obligarli con beneficii, ne fece quattro o cinque di loro assistenti. Questi standogli vicini, et havendo tirato alla parte loro il visconte di Montacù (nella cui casa resideva l'arciprete), buon cattolico et semplice, ma molto ardente nelle cose che gli s'imprimono, parte colle persuasioni loro, et parte coll' autorità del detto visconte, indussero l'arciprete di mandar à Roma duoi agenti, ò almanco uno col suo compagno, à sollecitar le cose che loro gl' andarebbero proponendo: et benche, dal principio, hebbero molto che far in persuader questo all' arciprete, per haver risposto vostra santità, per mezzo del signore cardinale Bianchetti, che non vi era bisogno che mandassero qua agenti, tuttavia fù tanta l'importunità loro, come in diverse lettere scrisse il medesimo arciprete, che, senza far questo, non poteva haver pace alcuna: et cosi mandò il dottore Ricardo Smitheo," &c. (Persons's Memorial, ut sup. MS. in my possession).—Perhaps the reader will be surprised to learn that, while Persons was making this representation in Rome, his partisans in England were actually offering a bribe to the archpriest, for the purpose of detaching him from the cause of his clergy!—Writing to Smith, on the fourteenth of December, 1609, and speaking of the slanders with which he has himself been assailed, Birkhead says,—"Yet, for all this, I am not dejected; for I have no intention but for peace. You will not believe what fair offers hath been made me of late, to relinquish you all; and how well I should be maintained, in greater estate, &c. This hath been offered to me, this last term, by a lay gentleman whom I will not name: but, God willing, all the gold in the world shall not remove me from the course I have begun, unless Paul will have it otherwise." Original in my possession.—*T.*

[2] Writing to a friend, after the decision of the first point, he says, in reference to what yet remained to be propounded,—"Claud" (the general) "*alloweth of all we have to propose:* we find friends of the best, and hope to have more; and *none* maketh shew of resistance. Wherefore, I pray you, encourage Mr. Birkhead," &c. (Smith to Francis Brian, June 6, 1609. Original in my possession). In another place, he says, "Hinc agenti animus additus, dum speraret neminem ex societate improbaturum quod generalis præpositus approbasset." Smith's narrative of his agency, MS. in my possession.—*T.*

mandate, and abstain entirely from their conferences[1]. For the same reason, Birkhead also, by a formal instrument, subsequently relieved him from his connexion with Fitzherbert, and thus left him free to pursue his negotiation immediately with Paul himself. But, unfortunately, the power of his opponents was too active and too daring to be successfully resisted. Supported by Blanchetti, the vice-protector, they were enabled, as it were, to surround the papal throne, and thus to frustrate every appeal, which he addressed to the consideration of the pontiff.[a] It was to no purpose that he invoked the aid of the supreme pastor: it was to no purpose that he described the miseries of the clergy, and the ruin of their colleges, and the disgrace and the scandals that were hourly falling upon religion. Even to a request that no presentations to the seminaries should be valid, unless made with the joint consent of the archpriest and the superior of the jesuits in England, no answer was returned[2]. Month followed after month; memorials and audiences succeeded each other: but the art or the misrepresentations of his enemies perpetually intervened; and when, at length, a tardy decision was pronounced, it was only to stigma-

Oct. 3

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[1] Birkhead, writing to Smith, on the eighteenth of August, 1609, says,—"Doleo Robertum et Thomam (Persons and Fitzherbert) tàm citò postulatis nostris restitisse. Nisi propter spem, quam de ipsorum subsidiis conceperam, numquam unum vel alterum aut in literis ad sanctissimum dominum nostrum, aut in commissione, tibi adjunxissem. Sed abundent in suo sensu, nec charitatis vincula rumpamus." Original in my possession.—*T.*

[2] "Ut liceat sacerdotibus, saltem archipresbytero ejusque assistentibus, alumnos ad seminaria mittere, qui nullo prætextu rejiciantur; vel certè nulli mittantur nisi ex communi consensu archipresbyteri et superioris societatis in Angliâ" (Smith's Memorial to Paul V., anno 1609, MS. in my possession). Six years later, Bishop, writing to More, then agent at Rome, thus expresses himself;—"We of the clergy have not any power or grace to commend one poor scholar into any of the colleges: either they must come recommended from some of the fathers, or not be admitted, without twenty pounds a year pension. Is it not a strange disorder that, when we have, by the grace of God, converted in England some poor young towardly scholars, that, be we of what standing, place, or merit you list, yet we cannot obtain one place in all our colleges, to bestow such a youth in? Be the colleges only for them or theirs? Methinks our superiors, duly informed of this disorder, should speedily redress it. This, among the rest, is one cause why we desire the college of Douay to be wholly in the hands of the clergy, that Mr. Archpriest, his assistants, and others of great mark and merit, may be able to prefer some scholars to them, as they receive priests from them." Feb. 24, 1615. Original in my possession.—*T.*

tize the subject of his entreaties as an innovation; to tell him that his petitions were rejected; and to let him know that, although a trifling modification in the manner of obtaining certificates for degrees might be permitted[1], the other and more crying evils, resulting from the ignorance of the clergy and from the reckless haste with which they were poured into the country,
1610 April 15. would still be maintained. Persons lived only till the following April: but the spirit, which he had created, still survived; and Smith, hopeless, at last, of
Sept. retrieving the cause in which he had struggled, resigned his agency to More, and proceeded to rejoin his friends in England[2].

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[1] Henceforth all persons, educated in the seminaries, were to receive their certificates from the rector, at the termination of their collegiate course: and all others, properly recommended by the archpriest to the protector, were to be forthwith licensed to proceed (Blanchetti's answer, in Smith's narrative, MS. in my possession). In practice, however, this regulation seems to have been generally disregarded. In 1615, William Reyner, a member of the new college of Arras,—a man already placed by his writings among the most eminent of the clergy,—was advised to take out the degree of doctor; but found that, to accomplish this object, he must first obtain his testimonials from father Owen, the rector of the English college at Rome, where he had completed his academical course. Under these circumstances, he instructed More, the agent for the clergy, to apply to Owen for the necessary certificate. More made the application: but Reyner was the friend and the cousin of Dr. Smith: the establishment at Arras College, moreover, was disliked by the fathers; and Owen, therefore, though he ventured not to withhold the attestation, was careful to render it as limited, and consequently as useless, as possible. Writing to More, shortly afterwards, Reyner thus speaks of this proceeding:—"I perceive, by that curtailed attestation which father rector hath given, what favour I may look for at their hands, for whose sake, as you partly know, I have endured so hard opposition since my coming hither; and I am right glad I tried their good will before I had need of them. Yet, to say the truth, I looked not for any extraordinary favour: * * * * yet I know not why they should deny me ordinary testimony of my manners and learning whilst I was there; it being demanded at my instance, especially by such an one as yourself, no man opposing against it. But, as for the matter itself, in good sooth, as I writ unto you in my last, I am at a plain point, whether I get these titles or want them; and, for mine own part, had rather be without them, until my ability served better to maintain them, if the place which I hold, and the cause which I am to maintain, did not seem to require them; which yet I refer to the judgment of them there, who, I think, are not ignorant of me or my intention, and who, I think, should know, better than myself, what were fitting in such a case; which, if you please, you may signify unto him, who hath that attestation of the college, such as it is." May 19, 1615. Original in my possession.—*T.*

[2] "You write, that Paul thinketh we shall be more quiet, now that father Persons is dead: but, when you come, I can tell you of some that, I fear, will prosecute matters as hotly as he; and so God knoweth when peace will have

The result of this negotiation, however discouraging in itself, was not without its advantages to the cause of religion, and to the general interests of the clergy. Unlike the agents who had preceded him, Smith was not the deputy of a party, but the representative, through its head, of the whole body to which he belonged. His commission was derived from the very superior, to whom the pontiff himself had entrusted the superintendence of the English church: his petitions prayed for the removal of abuses which were too notorious to be concealed, too mischievous to be tolerated, and too intimately affecting the existence of religion, to suffer a moment's delay in their repression. If, on the one hand, the failure of his mission had disappointed the hopes of the more sanguine, on the other, the resistance encountered by his demands had discovered the real motives of his opponents. The clergy now acquired additional friends. New opinions were formed: new views were adopted: and, while the archpriest continued to exhort his clergy to union in the sacred cause, men, who had hitherto been adverse or indifferent, came forward to aid it by their exertions, or to lend to it the weight of their influence or of their names[1].

Of the proselytes thus obtained, none perhaps will surprise the reader so much as Dr. Worthington, the very man against whom the remonstrances of the clergy had so long and so fruitlessly been directed. Released, by the death of Persons, from the control of that jesuit, he seems to have resolved at length to retrace his steps, and to seek, in a reconciliation with his brethren, the means of atoning for his past opposition[2]. With this view, he began by opening a communication with

place amongst us." Birkhead to Smith, Aug. 25, 1610, original in my possession. See Appendix, No. XI.—*T.*

[1] "Albeit you find, in my letters, that we are willing to surcease from moving any more suits, because we are so strangely crossed, yet, believe me, we are not discouraged, but mean to keep that which is already granted unto us, hoping that, in the end, we shall, by little and little, win favour for our deserts." Birkhead to More, April 8, 1611. Original in my possession.—*T.*

[2] To shew something of the nature and spirit of that opposition, it may be sufficient to remark that, so late as the autumn of 1609, Birkhead, by a special messenger, had solicited a reconciliation, and had offered to assist in liquidating

White, the superior of the benedictines at Douay; and with that religious speedily adjusted the terms of a lasting and friendly agreement. He then proceeded to
1611 Sept. address overtures of a similar nature to Dr. Smith: these, by Smith's advice, were afterwards more formally communicated to Champney, and through
Oct. 14. him to Birkhead; and, after some correspondence, during the course of which a voluntary offer of resignation from Worthington was affectionately declined by the archpriest, it was finally agreed that a meeting, for the settlement of all differences, should be held at Douay; that Birkhead and Worthington should severally appoint a certain number of representatives to conduct the conference; and that by the decision of these persons each party should be finally and irrevocably bound. To give additional weight to its
1612 April. determination, a special license for the meeting was solicited and obtained from the nuncio at Brussels; whilst Worthington, evidently with a view to remove all suspicion of his sincerity, availed himself of the opportunity of a solemn festival, to proclaim his opinions, and to advocate from the pulpit the reestablishment of episcopal authority in England[1].

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a heavy debt contracted by the college, on the simple condition, that the president should be willing to accept of an assistant, and should unite with his brethren in seeking or effecting such other reforms, as might be necessary for the benefit of religion. Worthington, in a sarcastic paper, declined the offer, and, confident of the approbation of Persons, immediately forwarded a copy of his answer to that jesuit in Rome. It is to this that Birkhead alludes in one of his letters to Smith,—"It seemeth," says he, "that Dr. Worthington liked his answer well, which he made to me; because he hath sent it amongst you there: but with us it is not of that estimation. I see they are determined not to join with us, and therefore best it is, to let them run on with the government of that college," &c. January 18, 1610. Original in my possession. See the two papers in the Appendix, No. XII.—*T.*

[1] "Of Dr. Worthington I hear good news, how he is willing to make amends for his past errors; and perhaps I shall persuade Mr. Champney to go to speak with him, and to encourage him" (Smith to More, Sep. 14, 1611. Original in my possession).

"Father White telleth me plainly that the president and he are good friends, and that he is much changed from what he was, and that I may deal with him confidently" (Birkhead to More, Nov. 4, 1611. Original in my possession).

"If you would write to Dr. Worthington, it would do well. He preached upon St. Thomas his day, lamenting much the want of bishops in our country and clergy; which is an argument that he is of another opinion than heretofore." Champney to More, Feb. 28, 1612. Original in my possession. See Appendix, No. XIII.—*T.*

It was at the beginning of May that the arbitrators assembled at Douay. On behalf of Worthington, who was present, appeared Thomas Harley, provost of Cambray, Dr. Kellison, and Henry Holland; on that of Birkhead and the clergy, came Dr. Bishop, Dr. Smith, and Anthony Champney. Of the matters to be discussed an outline had already been laid before the nuncio and approved. It proposed, among other things, that certain alterations should be made in the professorships of the house, and certain superiors appointed to act as the assistants and advisers of the president: that the confessor of the students should henceforth be exclusively chosen from the secular clergy: that no person should be admitted as a member of the college without sufficient evidence of his capacity, nor despatched to the duties of the mission, until he should have completed his course of theological study: that all presentations should be vested in the archpriest and his assistants, and all persons about to join the missioners in England should be previously announced and recommended to their future superior: finally, that while, on his part, the archpriest should engage to advance the interests of the college by every means within his power, on the other, the president should unite with the clergy in the prosecution of their suits to the pope, should aid them in their endeavours to obtain the restoration of episcopal authority, and, as a means of ensuring a more perfect uniformity of action, should join with the archpriest in committing the management of all affairs at Rome to the common agency of the same individual. With the arguments or discussions raised on these points we are unacquainted. From the correspondence which remains, however, it would appear that little difference of opinion existed among the arbitrators. The substance of the propositions was adopted: two papers, embodying the views and wishes of the meeting, were drawn up and ratified by Worthington: and while, in one, the protector was requested to interpose his authority in reforming the college, and particularly in appointing Kellison and Champney as assistants to the

May 17.

president, in the other, the pope was solemnly entreated to grant a certain number of bishops for the English church, to solicit the mediation of the catholic princes with the British monarch in behalf of religion, and to authorize a general collection through the principal catholic states of Europe, for the relief of the distressed and suffering members of the faith in England. To these

August. petitions an ungracious answer was returned, at the end of three months, declaring that "no innovation would be allowed"[1].

There can be little doubt that to the conduct of Worthington, on this occasion, may, in a great measure, be attributed the proceedings which soon after followed[2].

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[1] "They find the president there (at Douay) constant in his desire to reduce that college to better state; and, though he hath received answer, '*nihil innovandum*" yet maketh he a reply for Dr. Kellison, saying that that is no innovation, but restitution of the former estate, without which cannot be performed those things, which by their rules are ordained" (Champney to More, Aug. 14, 1612. Original in my possession).—"The protector hath written to Mr. President at Douay a letter more peremptory than seemed necessary in that occasion, that he shall change nothing, and, specially, not dismiss Dr. Norton. The jesuits, at their fancy, can change confessariuses in that college, without innovation; and the president can neither change, nor take in, or put out, any without innovation." The same to the same, Aug. 28, 1612. Original in my possession. See Appendix, No. XIV.—*T.*

[2] Thus Worthington, speaking of himself, says,—"The president was holden and judged sufficient, thirteen years together: but now, since he and other doctors, meeting together and joining in judgment with many more, thought it necessary to have more learned men in this house than are at this present, he is accused of insufficiency," &c. (To Champney, March 1, 1613. The whole letter will be afterwards found in the Appendix). It is right, however, to observe that this opinion was not universally entertained at the time; and that there were persons, even among the clergy, who thought, not that the opposition to Worthington was the consequence of his recent agreement with his brethren, but that this agreement was produced by a wish, on his part, to strengthen himself against an opposition, which he knew to have been organized against him. Writing to the agent More, in February, 1614, Pett, a clergyman of influence residing at Brussels, thus expresses himself:—"I cannot omit to tell you that, in one point, you mistake yourself, as touching Mr. Dr. Worthington, in that you conceive that for us these disgraces have happened unto him; wherein you may assure yourself to be much mistaken: for only father Persons favoured him, and held him in his place, as an instrument fit to serve his turn; and so great were his indiscretions and absurdities, that the English fathers, in these parts, were ashamed thereof, and, long before the death of father Persons, laboured for his remove, but could not prevail. But he being dead, Dr. Worthington then began to make some shew of combining with ours, thinking thereby either to have fortified himself with one party, or else to have caused the others to have desisted: and so, not dealing confidently with either, or, at the least, with ours, frustrated himself of both, and so put himself beside the cushion.

Among the professors of the college, there were two, the doctors Norton and Singleton, who, by the influence of Persons, had been introduced to the house in the respective characters of vice-president and prefect of the studies. They were men of an intriguing turn of mind, passionately attached to the society, and, on that account, generally regarded among the subjects of the archpriest, as instruments intended to work out the designs of the jesuits. For some time, they seem to have proceeded in perfect harmony with the president. By degrees, however, differences arose. As Worthington relaxed in his attentions to the fathers, his assistants became more observant of his conduct. Complaints were raised: reports derogatory to the government of the house were forwarded to Rome; and, as a feeling of resentment was not unlikely to have arisen in the mind of the president from these proceedings, when the latter at length united with the arbitrators in requesting the assistance of Kellison, it was said that he was acting under the influence of spleen; that he was seeking only to rid himself of the obnoxious professors; and that, on this ground, if on no other, the application must be determinately resisted[1]. The success of the opposition, thus excited, not unnaturally suggested more hostile

And this you will find to have been the true manner of his proceeding; and you shall do well to use him with all kind compliments, but otherwise to put little confidence in him" (Feb. 14, 1614. Original in my possession).—The fact, however, that more than two years had elapsed from the death of Persons, and that Worthington had actually declared himself in favour of the clergy, before any symptom of opposition from the fathers appeared, has satisfied me that the more general opinion, embodied in the text, was the correct one.—*T.*

[1] "Hi *(Norton et Singleton)* cum, ab initio sui adventûs, multa reprehensione digna adverterent, et jacentem disciplinam erigere conarentur, nonnulla etiam Romam ad amicos perscriberent de abusibus et reformatione collegii, statim præsidem offenderunt, qui ægerrimè tulit de se et suo regimine querelas fieri, et graves gestorum suorum censores se nactum exindè conjecit. Unde orta inter illos diffidentia, quam et subsecuta est disjunctio animorum," &c. (Visitation of Douay College, anno 1612, p. 15. MS. in my possession).

"Father Anthony *(Hoskins)* and Walpole *(the jesuit confessor of the house)* and the president meeting, they two signified that, in their opinions, Dr. Kellison's presence were most needful there *(at Douay)*, and so they would write to their superiors there *(at Rome)*, who, being possessed with an opinion that Dr. Worthington did only seek to displace those that are there, to wit, Drs. Norton and Singleton, did oppose against his desire, because they, being their friends, could not forsake them in that case." Champney to More, Aug. 14, 1612. Original in my possession.—*T.*

and offensive measures. Other charges were now preferred: other defects in the administration of the college were discovered; and, in the course of little more than two months, the clergy were alarmed by the intelligence, that a visitation, intended apparently as a prelude to some important, and perhaps dangerous, alteration, was about to take place[1].

Oct. 23. It was on the twenty-third of October, 1612, that the persons selected to perform the office of visitors arrived at Douay. They were two secular priests, Dr. Cæsar Clement and Robert Chambers, the former known as vicar-general to the Spanish army, the latter as confessor to the benedictine nuns at Brussels. Clement had formerly distinguished himself by his zeal in the cause of father Holt and the society: Chambers had been educated at Rome, had joined the discontented portion of the students, in 1596, but, having subsequently abandoned his associates, and atoned for his opposition to the fathers, by writing a passionate and not very correct account of what had occurred, had been rewarded, in 1598, with the appointment which he still continued to hold at Brussels[2]. To these men

[1] It has been said and believed that this visitation was solicited by the clergy, who sought it with a view to the removal of the president. The contrary, however, is undoubtedly the fact. Instead of procuring it by their petitions, the clergy appear to have been utterly ignorant of its approach, until about the twenty-third of October, six days after the date of the visitors' commission, when it was mentioned by father White, the benedictine, to Champney, and by the latter communicated to More, the agent at Rome. Even so late as the tenth of November, the day on which the visitors actually completed their task, Birkhead was still regarding it as a future and uncertain event, and, under the notion that it was to be conducted by the provincial of the jesuits, was positively, by the advice of Champney, writing to Rome, to prevent it.—"I send you a letter here enclosed to Paul. Mr. Dr. Champney adviseth me to write against the visit, that is to be made, of the college of Douay by the jesuits, and you advise me to crave a coadjutor. If you think my letter will serve, find out some time to deliver it:—yet the matter of the visit (being uncertain of it) maketh me backward. Do as you will." Birkhead to More, Nov. 10, 1612. Original in my possession. See Appendix, No. XV.—*T.*

[2] See this History, iii. Appendix lxxvi, xc. "What you write, as concerning the nuncio here, is very probable; for, assuredly, he favoureth not our affairs. He hath of late sent Dr. Clement, the vicar general of the army, and Mr. Chambers, the confessor of the English cloister, to visit the college of Douay" (Pett to More, Nov. 3, 1612. Original in my possession).—Bishop, Smith, and Champney, in a joint letter to Cardinal Mellini, describe the visitors as persons, "quorum prior" *(Clement)*, licet Anglicè loquatur, in messe

was now assigned the difficult and important task of visiting the college "in its head and in its members." By Worthington their arrival was hailed as the means of extricating him from his difficulties; by the students, as affording them an opportunity of setting forth their grievances, and of relieving the college from its dependence on the society. For the moment, the temper and the prejudices of the visitors were alike forgotten. Each party believed that the consummation of its wishes was at hand; and each was at length mortified by the discovery, that its hopes and anticipations had been vain.

The visitation commenced with an enquiry into the state of the building, and of the comforts and accommodations provided for its inmates. Oct. 26. If we may believe the report of the visitors[1], nothing could be more deplorable than the destitution of the whole establishment. In the house, the most essential conveniences were wanting; in the furniture, articles of the most ordinary use were deficient. The buildings, in many places, were ruinous; the scholars were but imperfectly clad; and, while the beds of the students were alike without a single change of linen, filth and vermin, and all the disgusting accompaniments of general and personal uncleanliness, were everywhere discernible[2].

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tamen Anglicanâ nunquam laboravit, imò Angliam ipsam nunquam vidit: alter verò in monasterio sanctimonialium totus occupatus, statum rerum nostrarum et collegiorum non ita benè callet." Jan. 15, 1613. More's copy in my possession.—*T.*

[1] It is right to observe, that this report, to which I have already more than once referred as the "Visitation of Douay College," is the only remaining account of the transaction in question. It is evidently written under the influence of strong party feeling; and abounds with contradictions and misrepresentations, on some of which I shall hereafter have occasion to remark.—*T.*

[2] "Multi adhuc incedunt breviori habitu, quia non sunt vestes talares sufficientes. Vix habent singuli duo indusia; ut cogantur, tribus vel quatuor septimanis, idem semper indusium gestare. Linteamina non sunt nisi singula paria pro singulis lectis; ita ut non nisi quatuor paria supersint pro mutatione aliorum. Unde fit, debere illos uti, tribus vel quatuor mensibus, iisdem linteaminibus, antequam vertatur ordo recipiendi munda. * * * Tota etiam domus et scholares tantâ rerum omnium penuriâ et inopiâ laboraverunt, tam squalidi, tamque neglecto habitu plurimi illorum incedebant, ut vix simile [quid] apud pauperrimos videri potuerit. Ex scholaribus etiam fuerunt qui-

From the survey of the house and its appointments, the visitors passed to the statutes of the institution, and thence to the conduct of the president and of the other superiors. In the observance of the statutes there had undoubtedly been considerable remissness. Innovations of various descriptions had been gradually introduced. The discipline of the college had been relaxed: the studies of the scholars had been abandoned to chance or to caprice; and, while the removal of the old professors had left the house without proper superiors, an accumulation of offices had devolved upon the president, which incapacitated him for the duties even of his own individual charge. Latterly, of course, the appointment of Norton and Singleton had effected a division, if it had not increased the efficiency, of some of these offices. Still, however, there were defects both in the means and method of conducting the government of the institution. The appointment of a procurator had been laid aside: the rules prescribed for protecting the property of the college had been abandoned; and the whole custody and administration of its funds had, for years, been engrossed by the president. To remedy these abuses, the visitors first ordered a procurator to be nominated, in conformity with the rule; and then proceeded to enjoin the abolition of all novelties, and a strict attention to the observance of the original statutes[1]. But, in one point, the spirit of this injunction became sufficiently manifest. Among the innovations introduced by Worthington, was an ordinance, directing all the most promising youths to be transferred to the other seminaries, either in Rome or

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dam è scholis ejecti, eò quòd tam sordidi et pediculosi essent," &c. (Visitation, 6, 18).—When I remark, however, that this statement rests principally, if not entirely, on the evidence of Norton and Singleton, and that the students themselves, in the enumeration of their grievances, make no allusion whatever to the supposed facts contained in it, perhaps the reader will not be unwilling to suspect it of some material exaggeration. I should add that, though the visitors, while they are careful to detail the charges set forth by his enemies, take no notice of his replies, Worthington himself, in a letter dated March 1, 1613, which will hereafter be referred to in the Appendix (No. XVI.), solemnly denies the truth of all these allegations.—*T.*

[1] Visitation, 7—9, 21, 22.—*T.*

Spain, and reserving the establishment at Douay only for the less gifted portion of the students. This ordinance was, once in each month, publicly read, among the statutes, in the refectory. Its object was evidently to raise the reputation of the other colleges: its effect was necessarily to injure the parent seminary, to mortify the scholars that remained, and to teach the world to look with contempt on those, who should be educated in so degraded an institution. For the visitors to have suffered such a regulation to retain its place among the statutes, would have been to act in opposition to their own mandate. At the same time, they were unwilling to discard it. They thought that, as a principle at least of action, it might still be preserved: and thus, while, on the one hand, they ordered it to be expunged from the rules, on the other, they secretly instructed Worthington to adhere to it in practice, but carefully to conceal it from the knowledge of the students[1].

The conduct and character of the president and of the two assistants, Norton and Singleton, form a remarkable feature in the report of the visitors. The former, so we are told, was characterized by all that could render him unfit for his office: the latter possessed every quality that could raise them in the estimation of their superiors. Indulgent to the students, but imperious towards the professors, Worthington had carelessly sacrificed the discipline of the house to his love of popularity, and the affection of those who were associated with him in the government, to the empty satisfaction of ruling with absolute and undivided authority. To free himself from control, he had ori-

[1] "Valdè displicet alumnis, et aliquibus etiam superioribus hujus collegii, quòd jubeatur selectiores ingenio et moribus mitti ad alia collegia Italiæ et Hispaniæ; undè suum debilitari putant, et spoliari maximè idoneis. Sed illud præcipuè molestè ferunt quod subjungitur,—mediocribus verò et minùs idoneis ad studia faciliùs istic consuli poterit;'—quibus verbis illi, qui remanent in collegio, notari se quodammodo sentiunt, tanquam stupidiores: quæ cum, singulis mensibus, ipsis publicè perlegantur, ruborem illis incutiunt, simul et indignationem excitant. Quare consultiùs videtur hanc constitutionem in publicis collegii regulis in posterùm prætermittendum, et ut seorsim detur præsidi in mandatis ut delectum illum observet in missionibus, absque notitiâ tamen alumnorum." Visitation, 10, 11.—*T.*

ginally dismissed the professors: to retain the superiority, he had subsequently asserted his independence of those, whom the entreaties of Persons had induced him unwillingly to admit[1]. He had quarrelled with the jesuits, he had inundated the mission with useless and incompetent labourers, he had avowed his determination to act without the advice, and against the opinion, of his assistants, and, finally, he had not only involved the resources, and destroyed the discipline, of the establishment, but had further resisted all the efforts of Norton and Singleton to redeem it; had forbidden the superiors to adopt any measures, whether of precaution or correction, without his previous approbation[2]; and had actually, by his complaints of external interference in the government of the college, produced all the dissension and discontent which they now lamented in the house[3]. Among the points contained in these charges, there can be little doubt that his estrangement from the society was the real ground of offence. That estrangement, in fact, had originated in his endeavours to remedy some of the very abuses which are here denounced. For several months, he had been honestly striving with his brethren to redeem the errors of his government; and if, unhappily, he had failed in the accomplishment of this object, his failure was principally to be attributed to the opposition of that very society, whose counsels he was now condemned for rejecting. Nor is this all. Of the accusations here set forth, many were personal to Norton and Singleton: their evidence rested solely on the testi-

[1] "Qui *(Norton et Singleton)*, ad *instantiam*, ut intelligimus, patris Personii, admissi sunt" (Visitation, 15). If this was true, what becomes of Persons's declaration, that Worthington was anxious to surround himself with able professors, and was only deterred from engaging them by the want of money?—See his letter to Birkhead, Sep. 16, 1609, in the Appendix, No. III.—The appointment, however, of Norton and Singleton will hereafter be more fully described by Worthington himself.—*T.*

[2] And yet it is also made matter of accusation against him, and that in the very same sentence, that to an application from certain prefects for some defined rules, for their guidance in the discharge of their office, he replied that, if they wanted rules, they might make them for themselves:—"respondit se regulas non habere quas daret: sibi illas conficerent, si vellent." Visitation, 16.—*T.*

[3] Visitation, 13—19.—*T.*

mony of those superiors themselves; and yet, while that evidence is carefully embodied in the report, to the answers of Worthington, or to any counter-charges against his accusers, not the slightest allusion is made[1].

From the visitation of the superiors the report proceeds to that of the scholars, and, in particular, to an examination into the discipline observed in the house, and into the method of study adopted in the higher classes. Under the former head, an unrestricted liberty, claimed and enjoyed by the students, of wandering beyond the enclosure of the college, forms the principal ground of complaint[2]: under the latter, the total cessation of all theological lectures, the license permitted to the scholars of selecting their own teachers, and, above all, the desertion of the jesuit schools for those of the university, are mentioned as the most serious abuses. For some time after his arrival, Singleton had read a lesson of divinity in the house. His manner, however, was said to be obscure: his lectures, always thinly attended, were ultimately laid aside; and, as those of the university enabled the students to proceed at once in the three minor degrees of bachelor, master, and licentiate, the youths naturally felt unwilling to place themselves under the professors of other colleges, and resorted immediately for instruction to the public schools. Latterly, the president had encouraged this proceeding. By the visitors, however, the practice was condemned: its sanction by Worthington was denounced as a formal preference of the university to the schools of the fathers[3]; and, with a view, therefore, to its suppression,

[1] That charges, however, of various descriptions, must have been made against those accusers, no person who has read the letters of Nelson and Birkhead, already referred to in the Appendix (No. XV.), can fail to believe.—*T.*

[2] Of this, no specific evidence is produced: but, from Worthington's letter of March 1, 1613, to which the reader has already been referred (Appendix, No. XVI.), it would appear to have been founded on a solitary breach of discipline, sanctioned, not by the president whom the visitors condemn, but by Norton, who acted on his own responsibility, and entirely without the knowledge of his superior. The charge, as the reader will see in the letter, was urged against Worthington by the jesuits.—*T.*

[3] "Hoc maximè accidit ex conniventiâ et nimiâ præsidis indulgentiâ, qui tantùm in universitatem, quantùm in patres propendere se ostendit: imò, in aliquibus universitatem præferebat." Visitation, 25.—*T.*

an injunction was issued, prohibiting the students from taking any degree whatever, during their residence in the college; enjoining them to attend the lectures only of such teachers as Singleton, the great advocate of the jesuit schools, should appoint for them; and, finally, ordaining that two theological lectures, one to be delivered by Singleton, the other by Dr. Weston, should forthwith be opened in the house. Worthington objected to the competency of Singleton, and asked for Kellison. The demand, however, was evaded by the visitors: Singleton, who offered to read both lectures, was pronounced to be sufficiently qualified; and Worthington, lest he should be inclined to resist the appointment, was deprived, by an additional statute, of all power to remove him[1].

But another subject was now about to claim the attention of the visitors. The reader will recollect that, among the charges laid to the account of the president, there was one which alluded to the discontent of the students, and to a belief that the government of the college was subject to the interference of the jesuits. At the existence of this belief few persons will be surprised. It had sprung, not from the recent complaints, but from the former conduct, of Worthington: it had been adopted by the great body of the clergy in England; and had more than once furnished a subject of remonstrance, in the memorials which the latter had forwarded to Rome. By the students, as I have already remarked, the present visitation was at first regarded as a probable means of restoring the independence of the establishment. Under this impression, therefore, they resolved to address the visitors on the subject; and a petition, praying that the college might be relieved from all
Oct 28. { dependence on the fathers, that the confessor of the house might, in future, be chosen exclusively from among the clergy, and that Kellison, Bishop, Bagshawe, or some other professors of talent and reputation might be sent to redeem the character of the seminary,

[1] Visitation, 10, 23—28, 92.—*T.*

was drawn up, and signed by six priests, twelve divines, and eight students in philosophy[1]. To these requests, however, the visitors replied, by denying the interference of the society in the concerns of the establishment, and calling for the proofs on which the allegation was supposed to rest. This produced a second memorial from the same parties. In it, among other less important points, they complained that father Coniers, the jesuit confessor, had exceeded the bounds of his spiritual office, in order to impose unauthorized and unnecessary restrictions on the scholars; that, while some students, known to have dedicated themselves in intention to the society, were retained on the foundation, others, for a mere attachment to the rival order of St. Benedict, had been expelled the establishment; that Norton and Singleton, men wholly unqualified for the important offices with which they were entrusted, had been named and appointed by the fathers; that, in defiance of the wishes and petitions of the students, a jesuit confessor was still forced upon them, to decoy the unwary to the society; and finally, that, through the influence of this same society, or through that of Persons, to whom Worthington was known to have been subject, the professors of the house had originally been discarded, and its reputation thus essentially, and perhaps irremediably, injured. To rebut these charges, the visitors at once appealed to the testimony of Worthington himself: to their surprise, that superior acknowledged the statement to be substantially correct, and thus destroyed their principal hope of silencing the complaints of the memorialists[2]. Another,

Nov. 2.

Nov. 3.

[1] Visitation, 29—31. The whole number in the college was twelve priests, twenty-eight divines, and fifteen philosophers. The petitioners, however, name seven others, two priests and five divines, who had withheld their signatures from considerations of a personal nature, but who were nevertheless willing to testify in private to the truth and propriety of the petition.—I may add, that among the ostensible memorialists was Thomas Maxfield, among those who were willing to support them was Edmund Arrowsmith, both afterwards martyrs, and the latter, before his death, a member of the society. Attested copy of the petition, MS. in my possession.—*T.*

[2] I will subjoin his account of some of the transactions here alluded to. 1°. Of that relating to father Coniers he says,—"*Tale quid, ex bono zelo et disci-*

and less honourable course was now to be adopted. Sending for the authors of the address, the visitors first insinuated that the evidence of all the superiors had been taken, and then declared that, upon that evidence, the accusations contained in the petition were proved to be unfounded[1]. To this, however, the students replied by an additional memorial. Other charges were now advanced: these were followed by fresh admissions from the several superiors; and, while the negotiation for surrendering the college to the society[2], the agency of Singleton in that transaction[3], and the constant

plinæ amore, tentavit pater Conierus; unde aliqui alumni timere cœperunt quòd inducerentur strictiores regulæ quàm antea fuissent; ideoque petierunt ut, quantum in me esset, non permitterem tales induci. Ego autem eos placavi, dicendo me nihil novi tentasse, neque velle tentare."—2°. The dismissal of the students he thus acknowledges,—"Dimittebantur quidem scholares, ordinem divi Benedicti ingredi cupientes, judicio alterius visitatoris et præsidis, qui etiam unus ex visitatoribus erat, atque aliorum assistentium."—3°. Of the appointment of Norton and Singleton he thus speaks,—"Questus est Romæ reverendissimus dominus archipresbyter Angliæ, per suos procuratores, quòd in collegio isto deessent viri satis docti qui alios docerent: quod cum amici nostri, patres societatis, intelligerent, suaserunt doctoribus Nortono et Singletono ut hùc venirent; mihi quoque suaserunt ut eosdem per literas meas invitarem: ideoque dominum D. Nortonum seriò rogavi ut veniret (de quo postea me pœnituit); alterum verò non rogavi; sed utrosque accedentes ut gratos recepi. Suggessit etiam mihi reverendus pater Personius ut constituerem Singletonum vicepræsidem, uti seniorem, et magis idoneum: sed, priusquàm hoc fieret, mutato consilio, judicavit magis expedire ut Nortonum præficerem, et alium bonis verbis susciperem. Ita, convocatis omnibus collegii alumnis, designavi doctorem Nortonum ut munus suppleret vicepræsidis, et doctorem Singletonum constitui præfectum studiorum."—4° The dismissal of the professors he thus describes,—"Cum Romam profectus sum, anno 1600, omnes fuimus concordes in collegio, et regimen benè moderatum. Dum autem Romæ essem, scripsit multoties pater Coulingus *(Collins?)*, collegii hujus confessarius, ad patrem Personium de erroribus, quos in regimine notavit, et doctoribus in collegio residentibus imputavit. Undè consultavimus sæpè qui tunc Romæ simul fuimus, pater videlicet Personius, pater Audoënus, aliique patres, et ego, de remedio procurando. Tandem, post multos congressus, aliorum consiliis consensi, ut cum illustrissimo protectore ageremus de dimissione doctorum atque præceptorum qui tunc in collegio fuerunt; adeoque hoc ipsum ab illustrissimo domino protectore decretum fuit." Visitation, 36—39.—*T.*

[1] Lest the reader should doubt the possibility of this extraordinary fact, I will subjoin the visitors' own words,—"Habito hoc responso (Worthington's acknowledgment of the general truth of the charges), vocavimus ad nos alumnos, libelli supplicis exhibitores, illisque declaravimus *non eadem superiores cum illis sentire, atque longè alitèr res gestas fuisse, quàm ipsi narrarunt*" (Visitation, 39). No other superior but Worthington had been examined on these points.—*T.*

[2] See the letter of Pilkington, in the Appendix to the present volume, No. III.—*T.*

[3] "Doctor Singletonus ingenuè fassus est se hujusmodi sermonem habuisse cum præside solo, tunc cum primùm veniret ex Angliâ; * * * seque etiam iteratò, ex occasione datâ à domino præside, ejusdem sermonem habuisse, in præsentiâ Petri Worthingtoni, religiosi societatis." Visitation, 43.—*T.*

interference of Persons and other jesuits in the government of the house[1], were distinctly acknowledged, a plain avowal on the part of Worthington declared it as his opinion, that the gradual removal of the jesuit confessor, and the extinction of the authority claimed and exercised by the fathers in the concerns of the establishment, were necessary to the peace and happiness of the whole clerical body[2]. The visitors now saw that it was useless to pursue an investigation, which tended only to confirm the unfavourable impressions already produced against their friends. To mark their displeasure, however, they resolved to avail themselves of the financial condition of the house, and, under pretence of relieving it from its difficulties, to eject a portion of the memorialists. With this feeling they entered on the next stage of their enquiry. A heavy debt was pressing on the funds of the institution: a reduction in the number of students was declared to be necessary; and, by the counsel of Norton and Singleton, but in opposition to the entreaties of the president, ten of the principal petitioners, or their advisers, were ordered to be dismissed[3].

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[1] "Consueverunt præsides hujus collegii (nimirùm, dominus Barrettus bonæ memoriæ, et ego ipse) plurima facere ex consilio et directione patrum, præsertim R. P. Personii." Worthington's answer, in Visitation, 44.—*T.*

[2] "Si auferatur ista qualis est dependentia (collegii à patribus), arbitror majorem fore pacem in aliquo clero Anglicano, quàm nunc est, vel jamdiù fuit. * * Subitò mutandum esse ordinarium confessarium expedire non arbitror, sed paulatim,—ita tamen ut, qui velint, possint patribus societatis confiteri" (Worthington's answer, apud Visitation, 44, 45).—By confounding the visitation of 1600 with the transactions of the preceding year, the visitors endeavoured to shew that the appointment of a jesuit confessor had been originally suggested by Worthington himself. This, however, the latter distinctly denied; adding that, although he was unable to speak positively on the subject, he had reason to believe that Persons was the real author of the measure in question:—"Ut ordinarius confessarius esset unus ex societate nos non proposuimus. Quis verò id suggessit nescio: sed puto suggestum fuisse à patre Personio; et missus est pro hoc munere pater Nicholaus Smitheus inexpectatus." Ibid. 45. See also More, 248.—*T.*

[3] Visitation, 54—58. Of these, however, five immediately obtained means to defray the expenses of their education; and, as the necessities of the college had been made the ground of their dismissal, they at once claimed to be admitted as convictors. At first, this was resolutely refused. To a petition, addressed by themselves to the nuncio, and seconded by the recommendation of Worthington, and by the joint remonstrances of Bishop, Smith, and Champney, an answer was returned, commanding them to leave the college. But

The labours of the visitors were now drawing towards a close. Having briefly enquired into the number and condition of the domestics, they next proceeded to review their own decisions, and, finally, from these to select a body of rules for the future management of the establishment. On the eighth of November, these rules were publicly read to the community. By them it was ordered that, until the debts already contracted by the college should have been liquidated, the number of inmates to be supported on the foundation, inclusive of superiors and domestics, should, in no case, exceed fifty; that no person should be admitted as a student until he had completed his sixteenth year, and no student allowed to remain in the house after the termination of the usual theological course[1]; that the scholars should, on no pretext, leave the precincts of the seminary alone or without permission, or converse with persons not members of the establishment, but in presence of a witness specially appointed for that purpose; that the president should, on no account, permit a student to graduate in the university; that he should have no power to appoint either an assistant or a professor, but with the special license and approbation of the protector; and finally, that he should act in no matter of importance, without the advice and concurrence of those, who, for the time being, should occupy

Nov. 8.

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they resolved to make another appeal. A second petition was drawn up: the interest of the leading ecclesiastics in Brussels was secured; and, an interview with the nuncio having been at length obtained, they succeeded, after much entreaty, in gaining permission to complete their studies, on the funds supplied by their friends (Douay Diary, i. 135). The others, who were less fortunate, received, at their departure from the college, a certificate of their exemplary conduct, which, with the other papers relating to this transaction, will be found among the documents to be referred to, in the next number of the Appendix.—*T.*

[1] This course extended, if in scholastic divinity, to four, if in moral, to three, years. The only previous studies were logic and philosophy, which severally occupied but twelve months: so that, as the student, if qualified for logic, might enter at sixteen, he would, in that case, have completed his course by the end of his twenty-first, or, at latest, his twenty-second, year; and must then, in pursuance of this rule, either quit the house without being ordained, or be raised to the priesthood and sent on the mission, before the canonical period. This objection, as the reader will hereafter see in the Appendix, was raised at the time.—*T.*

the place of his assistants[1]. Against these regulations, however, thirty-three of the principal students, including six priests and fifteen divines, immediately appealed, and, first in a letter to the protector, afterwards in a memorial to the pope himself, earnestly implored the interference of those authorities, to protect them from the threatened innovations. To aid their petition, a large body of the English clergy addressed the pontiff, at the same time, and to the same effect. But their exertions only served to inflame the animosity of the opposite party. By the visitors, Worthington was immediately denounced as the instigator of the appeal. The jesuits and their friends eagerly joined in the cry[2]. New charges were raised: old ones were reproduced and embellished; and the protector, assailed on every side, at length confirmed the obnoxious regulations, and, by the direction of the pope, summoned Worthington to appear in Rome. A few weeks later, however, it was announced that Kellison, with the title of regent, had assumed the provisional government of the house[3].

Nov. 12. Dec. 1613 April. June 10.

There was much in this intelligence to reconcile the

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[1] Douay Diary, i. 130—133. Visitation, 108—113.—*T.*

[2] "Would you believe that the padri would so lay against Dr. Worthington, their own creature?—From Spain, from Flanders, from all parts, come informations against him, of his insufficiency, of his over great indulgency to the scholars, of the want of government in the college, of the carelessness in the observing of the rules, of his working of the new orders, &c., I know not what: and now even they rip up, in favour of Norton, what we have complained of, so many years before,—of his making insufficient men priests, of the scholars that went ragged, and torn, and eaten up with filth and lice. They have kept a note-book of all that passed, and cunningly shuffled in Norton and Singleton to espy his actions, and supplant him, if ever he trod one inch out of square from their pleasure." More to Mush, Feb. 1, 1613. Original in my possession.—*T.*

[3] Douay Diary, i., 135. "The president is called to Rome, by command from his holiness, and insinuation is made that Dr. Kellison is to govern in his place, during his absence. * * The president is now come hither *(to Brussels)*, to take his leave of the nuncio, and his friends in these parts; determining presently to set forward in his journey" (Pett to More, May 14, 1613. Original in my possession). "Mr. Dr. Kellison arrived hither yesterday, and, this day, hath, all this forenoon, been with the nuncio, with whom he stayeth dinner, and hath received such satisfaction from him, as that the doctor is thereby resolved and encouraged to go to Douay, with great hope to reduce and bring that college to his old ancient form and tranquillity." The same to the same, June 1, 1613. Original in my possession. See Appendix, No. XVI.—*T.*

clergy to their previous disappointments. Attached, indeed, to Worthington, as a friend who was suffering in their cause, one great part of their anxiety had been, to rescue him from his enemies, and to reestablish him in the dignity from which, they feared, he was about to be removed[1]. Still, in Kellison they saw the man, on whom their hopes and their desires had long been fixed. They had petitioned for him as the assistant, they had looked to him as the future successor, of Worthington: they knew him to be the friend of his own order, without being the enemy of others; and they were satisfied that, in his present appointment, they possessed an earnest of the principles on which the government of the house was henceforth to be conducted[2]. If Worthington could have pursued his course with steadiness and perseverance, these relative feelings would never have undergone a change. But he was deficient in that moral courage, which alone could enable him to encounter the opposition of a powerful adversary. No sooner had he arrived in Rome, than his anxiety to propitiate the fathers became apparent. He sought their protection and advice: he withdrew his confidence from More, the agent of the archpriest; and he wrote to Kellison,

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[1] "God's blessing of Mr. Poole's heart and your own, that you have laboured so effectually for that poor Dr. Worthington, who, if he had stuck to us from the beginning, had not been thus molested as he is" (Edward Bennet to More, April 26, 1613. Original in my possession). "Concerning Mr. President, I pray you use him with all courtesy, and befriend him the most you can. * * We hope that he will be able to shift out of the briars, you and Mr. Poole assisting him; and then to return to Douay, at least with the title and honour of president" (Bishop to More, June 4, 1613. Original in my possession). "As far as by conjecture I can learn, Dr. Worthington is not like to return president. * * We cannot deny but that, in times past, we took him to do amiss in some things: yet, seeing his desire and endeavour to amend, we cannot also but forget that which is past, and be ready, in all friendly and charitable offices, to assist him, to our power, and to esteem of him as of one of our most ancient brethren, and a most painful labourer in the same cause of God with us," &c. Bishop to More, July 2, 1613. Original in my possession.—*T.*

[2] "Your motion about Douay college we like exceedingly here. If that Dr. Kellison were brought in, with promise to succeed Dr. Worthington, and with some dependence on the archpriest, great good, no doubt, would follow" (Edward Bennet to More, April 26, 1613. Original in my possession). "This placing of Dr. Kellison at Douay, and appointment that that college shall be governed by the clergy, is no small pledge of his (the pope's) good will towards the clergy." Smith to More, July 2, 1613. Original in my possession.—*T.*

exhorting him to follow his example, and to select his agents, both in Flanders and in Spain, from amongst the friends or members of the society. If these proceedings engaged the jesuits to favour his return to Douay, they were not less effectual in alarming the clergy, and exciting their opposition to that measure. More was now instructed to urge the absolute appointment of Kellison. The independence of that clergyman, the popularity of his name, and the spirit which he had already awakened among the students, were successfully appealed to; and, before the end of October, it became generally known that the college was permanently entrusted to his government. On the eleventh of November, 1613, he was publicly installed as fourth president of the house[1]. Nov. 11.

Of these transactions Birkhead, in common with his clergy, had been a diligent and anxious observer. Surprised, in the first instance, by the visitation, he had naturally adopted the suspicions, and participated in the alarms, of his brethren. As the visitors proceeded,

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[1] Douay Diary, i. 136. "He *(Kellison)* marvelleth at the simplicity of Mr. Dr. Worthington, who adviseth him by letters to take George Persons for his agent at Brussels, and to write to father Anthony *(Hoskins)* in Spain, to provide him one there. What hold can we have of such a man?"—"Concerning Mr. Dr. Worthington, seeing he relieth no more upon you or us, you do exceedingly well to hold friendly correspondence with him in common conversation, but not to intermeddle with his matters. But it lies us more upon, that you do your best for Mr. Dr. Kellison, who is really ours; which the padri finding, are said now to labour for Dr. Worthington's return unto the same place, being better content to have an uncertain man, than one that, they fear, will be certainly against them. The reasons, that make most for Mr. Dr. Kellison, seem to be these:—first, the peaceable and quiet government of the college, all the students desiring him, and being glad to enjoy him; whereas few affect the other, who wanteth authority and discretion to govern: secondly, learning will much more flourish under him, being himself most learned, &c.: thirdly, Dr. Kellison's credit is much greater with our English gentlemen, and doth already begin to draw divers young gentlemen to Douay, by whose friendly aid he may be able the better to defray the college debts, and to uphold the temporal estate of it. If in these three points, so important, he be preferable before the other, and is already, as it were, in possession, by his holiness's appointment, to the good liking of us all, why should he not be continued therein?" (Bishop to More, Aug. 27, and Oct. 8, 1613. Original in my possession). "The padri, as we understand, do labour, by all means possible, to reestablish Dr. Worthington in his place; such opinion have they of Dr. Kellison: whereby you may see how to proceed more plainly. You must seek to establish Dr. Kellison." Champney to More, August 13, 1613. Original in my possession.—*T.*

these feelings encreased: a sense of disgust mingled in his mind with the apprehension of future discords; and, to relieve himself from the hopeless anxieties of his situation, he already began to deliberate on the possibility of resigning his charge[1]. The appointment of Kellison came to dissipate these notions, and, it may be, to rekindle even the hope, which he had never abandoned, of restoring to his country the advantages of an episcopal form of government. From the pursuit of that object, indeed, neither delays nor disappointment had been able to withdraw him. No sooner had he learned that its attainment must depend on the suffrages of his brethren, than measures were adopted for collecting the signatures, and ascertaining the individual opinion, of his clergy. With this view, letters were drawn up and despatched to the more influential members of the body; memorials, descriptive of the wants and miseries of the English church, were prepared; and such of the assistants, as were able or willing to cooperate in the important work, undertook to visit their several districts[2], and to unite their brethren in

[1] "The visitation which hath been of late at Douay, by Dr. Clement and Mr. Chambers, maketh my friends to storm; being much moved that no better order is taken for that college. If you please, you may remember my duty to our protector his grace, and give him notice from me hereof. I have been commanded by his holiness and him to conserve peace, by all means possible: but, surely, do what I can, this is the way to break it" (Birkhead to More, Dec. 5, 1612. Original in my possession). "The protector hath of late taken such order there *(at Douay)*, that I fear it will be a great hindrance of peace amongst us" (Same to same, Jan. 10, 1613. Original in my possession). "The ill proceeding at Douay, and the little credit which is given to me, causeth some, of no weak judgment, to persuade me to resign my office; which thing I have already moved twice to his holiness, and now, perhaps, it would be thought to come of some passion: and therefore, albeit I am much inclined thereunto, yet am I loath to do any thing, before I know both yours and other men's minds". Same to same, March 25, 1613. Original in my possession.—*T.*

[2] I may here remark, what I omitted to notice in a former volume, that, on the appointment of the archpriest, in 1598, the country was divided into a certain number of districts, or "circuits", corresponding with the number of the assistants; and that to each of these an assistant was appointed, who, in the name, and under the authority, of the archpriest, exercised a certain spiritual jurisdiction, within that particular locality. Thus, at the present time, John Mitchell was the assistant for Lancashire, Mush for Yorkshire, Dr. Bishop for Oxfordshire and the adjoining provinces, Morgan Clenoch for Wales, Colleton for the metropolitan counties, Dr. Smith for Sussex and the southern districts of the country, Dr. Bavant, I think, for the northernmost provinces, Stamford for Staffordshire and the neighbouring counties, Fennell, Edward Bennet, and others for other parts.—*T.*

one common prayer for the appointment of an episcopal superior. The task was one of no ordinary danger. Surrounded by spies and pursuivants, their persons often marked, their letters not unfrequently intercepted, persecuted from without, opposed and calumniated from within[1], it was perilous for these men to meet in consultation, and scarcely less perilous to commit their names or their desires to paper. Still, in spite of difficulty and danger, the work gradually proceeded. By the middle of July, 1610, one hundred and eighty priests, or three-fourths of the whole body of secular clergy in the kingdom, had forwarded their names to Birkhead, and signified their

1610. July.

[1] In illustration of this, as well as of the strange state of anarchy in which the English church was placed, by the institution of an archpriest, I subjoin the following extract from one of Birkhead's letters:—"By reason", he says, "that many of my company are slandered to favour the oath, and because I have long had a desire to know the number of all sorts of priests, I have, this last summer, appointed my assistants to collect the names of all in their circuits, and also the names of the religious in the same; to the end I may the better know those with whom I have to deal. At this some of the religious are offended, and have caused a false information to be laid upon me, that I have indiscreetly caused not only the names of the forenamed to be gathered, but also the places, residences, and persons where they remain, to the great prejudice of catholics:—which clause is very false, and never imagined by me, as appeareth by the letters which I wrote to my assistants. And if I had put in this clause, why should I be more condemned than the superiors of the religious, who perfectly know the particular residences of their subjects?" (Birkhead to More, Dec. 3, 1613. Original in my possession).—Edward Bennet, the assistant, adds some further particulars on this subject:—"I had thought", he says, referring to a report which he had heard from Paris, "it had been about letters Mr. Lea" (one of Birkhead's assumed names) "had sent abroad to his assistants, to know what priests and religious every one had within his circuit; because of scandals that grew, which were given by some, who in vow were religious (I mean were votaries), and, when the matter came to scanning, and the world took notice of it, then forsooth they were secular priests, and not religious; and so we carried away the blame and shame. That every man might carry his own burden, Mr. Lea writ his letters to his assistants, to know who were his, that, if there were any thing amiss, they might be corrected; if they belonged to others, they might be known. Yea, within the next circuit to me, there was one that went for a religious man, that was accused of notable enormities, and authority directed to me to call him before me. When his supposed superior was told of it, he answereth smoothly, he was none of his, both to Mr. Lea and myself: yet have I letter to shew, of a priest who I sent to talk with this supposed delinquent, to whom he answered that he was received to St. Francis's order;—marry, if they denied it, then was he a priest, and would acknowledge the archpriest for his superior.—Upon this, those letters were sent out, and you would not believe how the jesuits did calumniate it". To More, April 17, 1614. Original in my possession.—*T.*

desire to be included in the list of petitioners: four
1611. July. months later, this number had encreased to two hundred: and, before the end of the following summer, nine memorials, signed by as many assistants, and by upwards of one hundred of the principal clergy in their respective districts, were placed in the hands of the archpriest, to be immediately transmitted to Rome[1].

[1] More's copies of the memorials in my possession. "You will me to go softly on, in procuring voices; but I assure you we have already the greater part: and, if I had secure means, I would send them unto you at this time. * * * We have nine score names for bishops, which is three parts of the whole clergy" (Birkhead to More, July 20, 1610. Original in my possession). "Mr. Harrington writeth to me that there are already two hundred voices gathered for bishops, and that there are not forty more" (Champney to More, Nov. 20, 1610. Original in my possession).—To explain the difference between these numbers and that of the persons who subscribed the memorials mentioned in the text, it will be necessary to remember that some, who probably had no opportunity of affixing their signatures to the documents in question, sent their names only, written by themselves, and accompanied with the name of the party whom they wished to recommend for bishop: while others again, less precise, or more confiding, placed their proxies in the hands of Birkhead, to be employed at his discretion. Of these the first were sent to Rome: the latter, from motives of delicacy, seem to have been withheld. Birkhead says,—"There are not set down, in the writing I have sent you, above one hundred and twenty names of those whose schedules I have in my hand: but I dare assure you of as many, that have either resigned their voices to me, or are willing to give their schedules, but that the iniquity of the time made me give over the collection of suffrages. But if his holiness will not give ear to the petition of an hundred and twenty priests, I shall have no hope in the access of one hundred more".—"More schedules come unto me daily. * * * We are so scattered, that we have no means to confer together" (To More, Octob. 21, and Nov. 4, 1611. Originals in my possession).—Mush also, writing to the same person, says,—"You dream of five hundred priests to be in England: truly, there is not three hundred; and, unless Mr. Lea" (Birkhead) "hindered many names which referred all to him, we sent you two hundred at the least" (May 4, 1612. Original in my possession).—In point of fact, it appears from More's copy of the lists now before me, that, including Birkhead himself and the parties who signed the memorials, there were one hundred and fifteen priests who sent their names, with votes for particular individuals, and twenty-nine others who sent their names only, attached to the memorials,—in all, one hundred and forty-four, transmitted to Rome by the archpriest. The following extract from one of Smith's letters will confirm and explain this:—"I wrote to you very lately," says he, "and therefore now I will merely advertise you of some points requisite for you to know. 1°. Though there be but one hundred and fifteen suffrages in schedules, yet there be the names of many more unto some of the letters, whose schedules are not had:—2°. That many priests dwell so uncertainly, like birds, now on one bush, and now on another, as they are hard to find; and others dwell so far off from others, as, in these dangerous times, when none can appear in London, and few stir in the country, without taking, their voices could not be had without imminent danger:—3°. That there is no speech of any more than five or six who dislike the having of bishops; and yet these also promise to obey them, if they be sent:— * * 5°. That two that are now martyrs, and divers confessors in prison, do desire bishops; and many lay gentlemen do openly say

Besides these, an additional letter from Stanney, the superior of the franciscans, urged upon the pontiff the necessity of restoring the dignity of the English church: while the prayer of Batt, a benedictine, and of Everard, a jesuit, attached to one of the petitions, shewed that even in those bodies there were individuals, to whom the establishment of an episcopal authority in the country would not be unacceptable[1].

It was nearly four months before Birkhead, sensible of the danger to which discovery would expose the whole body of the priesthood, could venture to forward these papers to their destination. At length, however, an opportunity for their conveyance presented itself, and the packet was despatched[2]. Besides the addresses of the clergy, it contained two memo- } Nov.

that things will here never go well, till there be bishops * . * :—6º. If his holiness will needs have more voices, I doubt not but he may have the consent of all, except some very few; but that I hope, by those that are gathered, he will see what the clergy desireth, and by his answer thereto they may see what he accounteth of them." To More, July 17, 1611. Original in my possession.— *T.*

[1] "Literas ad S. D. N. Paulum quintum scriptas, etc. (the memorial from the metropolitan district) nos infrascripti sacerdotes Angli approbamus, ac ut episcopi clero Anglicano præficiantur, eidem S. D. N., unà cum cæteris fratribus nostris, humillimè supplicamus. 30 Julii, anno 1611.

Gulielmus Batt. Thomas Everard.

It appears that Lord Montague also, with whom Birkhead resided, at Cowdray, in Sussex, addressed the pope on the same occasion,—sending him a copy of the same letter, which Persons had suppressed some years before (see page 16, note, ante). Writing to More, a few months later, Birkhead says,—"When you exhibit these things, you must also deliver the thick letter of my host, and that also of father Stanney's, alleging the occasion of the stale date of them both; the former being a new copy of that which was written six years ago, and miscarried, as you know; and the latter being written with intent to be delivered in time most fitting for that purpose" (Jan. 1612. Original in my possession).—In another letter he adds,—"Father Chrysostome, the capuchin, telleth me that he and his are minded to give their voices: father White also (the benedictine) with his are wholly for it; and father Stanney, for the franciscans will not be behind: so that the greater part of the clergy and religious are for us. Now, what the fathers of the society, and the laics which follow them, will do, I know not. If the time would serve, it is not unprobable but that we should have more laics for us than they" (To More, Feb. 26, 1612. Original in my possession). And again, two months later, he says,—"Now I am but only to advertise you that, in our suit for bishops, you be mindful to urge how the other religious besides the fathers require it as much as we do; father White, especially, and the capuchins. Let then the fathers abound in their own sense". To the same, April 23, 1612. Original in my possession.—*T.*

[2] "I am told that my packet about our suit for bishops is safely gone" (Birkhead to More, Nov. 4, 1611. Original in my possession). It was sent, in the first instance, to Paris, and thence forwarded to Rome. Writing from the Sorbonne, Champney says,—"At last is come to our hands the packet long

rials from the archpriest himself. In the first, Birkhead reminded the pontiff of the declaration which had called for the suffrages of his brethren; assured him that the violence of the persecution alone had prevented those suffrages from being even more numerous; and, while he implored him to listen to the general prayer of men, whose lives were exposed to hourly peril for their religion, entreated him to forget any personal supplications which they might have preferred for *his* advancement, to believe that he had no ambition but for the preservation and extension of the faith, and to rest satisfied that he would gladly retire even from his present office, to spend the short remainder of his days in the seclusion of a private life. In the second memorial, which, like the first, was addressed to the pope, he was more emphatic. Having alluded to the oath of allegiance, as one of the principal causes of dissention in the catholic body, he proceeded to remark on the situation of the clergy, and on the necessity of establishing an episcopal jurisdiction amongst them. Hitherto, he observed, their petitions on that subject had been constantly rejected. The whispers of their enemies had been more powerful than *their* prayers: and hence had grown up a feeling of discontent, a mistrust of the individuals by whom they believed themselves to have been injured, which it was utterly beyond the power of his limited authority to control. Nor could this result, however lamentable in itself, afford matter of any real astonishment. Superior in numbers, and equal in every quality that could adorn the priesthood, they were naturally indignant to find themselves placed, as it were, under the tutelage of another order of men. But let these persons cease to interfere in their concerns, let them atone for the injuries of the past, and abandon the designs of the future; above all, let his holiness apply that remedy to these disorders, which had so frequently been urged on his attention, and justice and peace

expected, some part whereof I send you with this, and, by the next, will send you the rest: for I thought it not good to make the packet so great" (To More, Dec. 6, 1611. Orig. in my possession). He sent the remainder, with another letter, on the twentieth of the same month.—*T.*

would again embrace, in the reconciliation of these separated bodies. Prostrate then, he continued, at the feet of the supreme pastor, let me once more repeat the supplication of my brethren. Listen not to the suggestions of their enemies. From the dungeons which they are inhabiting, and from the scaffold on which they are prepared to shed their blood, they have already proclaimed their attachment to the Roman see. Cheer them, most holy father, in the conflict in which they are engaged: console them with the assurance that their prayers have been heard; and let them now at last know that the power, which, in my hands, is limited to the direction of one body, has, in the person of a bishop, been canonically extended to that of all[1].

It was at the moment when the meeting of the arbitrators at Douay had just been proposed[2], that these papers were despatched to their destination. On the issue of that meeting the clergy were already calculating for additional support; and Birkhead, therefore, though he forwarded the memorials to Rome, was careful to enjoin More, the agent, not to present them to the pope, until the result of the conference should be known[3]. In the meantime, the archpriest himself was anxiously seeking to strengthen the cause of his brethren, by soliciting the aid of the more influential personages in the Roman court. He wrote to the cardinals of the inquisition: he addressed the protector and the vice-protector: he implored the assistance of Aldobrandini, and Sfondrata, and Bellarmine; and he endeavoured to engage the active cooperation of the

1612. Jan.

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[1] See Appendix, No. XVII.

[2] See page 31, ante.

[3] "When it" (the packet of memorials) "cometh unto you, be not over-hasty to impart it to our superior; and keep all things as secret as you can. I would not have it spoken of, till we see the issue of this meeting with the president and others in Flanders. If we do agree, it is like the suit will be more plausible" (Birkhead to More, Nov. 4, 1611. Original in my possession). "I have written unto you, to stay the suit for bishops, till the meeting with the president be ended. * * * You see we have above one hundred and twenty voices of our own, and might have had more, but for the time; and I have no doubt but that, after the meeting, we shall have the greater part of other vocations." The same to the same, Feb. 26, 1612. Original in my possession.—*T.*

May. resident ambassador of Spain[1]. At length, however, the arbitrators assembled, and, in the course of a few weeks, their decisions were announced in July. Rome. The memorials were now presented: they were followed by the petition of the conference, and subsequently by a long and powerful address from Colleton[2]; and, while the friends of the cause were anxiously anticipating its success, More himself, under the direction of the archpriest, was urging it on the attention of the pontiff, and looking, at no distant period, for a favourable termination to his labours[3].

But another power was already seeking to frustrate these hopes, and to perpetuate the system of which Birkhead and his brethren were complaining. In the autumn of 1612, a memorial, drawn up by certain members of the society, was forwarded to Rome, and secretly laid before the cardinals of the inquisition. It argued that, as the prayers of the clergy had hitherto been rejected, so it would compromise the authority of the supreme pastor, were a different course to be now adopted. It asserted, in one part, that, if bishops were

[1] More's copy of his several letters, in my possession. "All that lieth in me you have, I trust, before this: for, since my great packets, I have written (and sent them unto you) letters to all these,—to both our protectors, to cardinal Sfondrata, to Aldobrandino, to cardinal Bellarmine, to the Spanish ambassador, to Vives, &c. These were all transported by the way of Paris" (Birkhead to More, April 20, 1612. Original in my possession). "A lady of great sort hath promised me to get this Spanish ambassador to write to him at Rome, in your behalf." Same to same, Sept. 10, 1612. Original in my possession.—*T.*

[2] For the material parts of this letter, see the Appendix, No. XVIII.

[3] Birkhead, writing to More, says,—"You give me great comfort, in that you have so good hope of bringing our matters to good pass" (April 20, 1612).—"If you think our cards be good, you may the more boldly commence the suit: but yet with all mild and moderate proceedings, first, in feeling how the matter will be taken, and then to go on, as you see cause. Yet, if you be not too hasty, till you see what will become of our vice-protector" (Blanchetti, who was shortly afterwards removed), "I hope it will do no hurt; because I fear no man more than him" (April 27).—"It comforteth me exceeding much that you have but (i. e. *at least*) insinuated our suit to Paul, and visited the new vice-protector" (Mellini). "My trust is, he will be better than the other" (July 15).—Champney, too, addressing the same person, in September, says,—"We still have more hope that your suit will have some good effect: for we perceive by this nuncio, that the matter is more hearkened after than they make show of" (Sept. 25).—Finally, Edward Bennet, answering a letter of More's, written in October, says,—"I am exceeding glad you give us so good hopes of our vice-protector, as also in our business" (Jan. 6, 1613). From the originals in my possession.—*T.*

appointed, the prelates of the country would regard them as rivals, and seek, with redoubled fury, to exterminate them: in another, that these same prelates were the advocates of the measure, and were already calculating, with well-grounded presumption, on the probability of gaining proselytes among the new dignitaries. It declared that the present movement had originated entirely with Bishop, Champney, and the other arbitrators at Douay; that Bishop, the friend and correspondent of heretics, had been released from prison for the express purpose of assisting it; that the appointment of an episcopal superior would only provoke the government to encrease the severity of the persecution; and finally, that, besides the difficulties attending the election, jurisdiction, and maintenance of bishops, the danger of placing men in a situation, where their fall must necessarily be productive of the most serious evils, was a matter that ought not to be disregarded. Of the three superiors, it said, Blackwell, Preston, and Garnet, on whom the iniquity of the laws had been exercised, the jesuit alone had defied the threats and the blandishments of the enemy, and vindicated his religion with his blood. Blackwell had fallen: Preston was not unsuspected. If the scandal attaching to their delinquency were so grievous, what would have been its magnitude, if united with the episcopal character[1]?

Of the effect produced by this extraordinary document on the minds of those to whom it was addressed, no direct evidence remains. It was remarked, however, that, by degrees, the cardinals became less cordial in their intercourse with the agent; Bellarmine and others, who had hitherto encouraged the archpriest by

[1] To this paper, of which I possess two separate copies, is affixed the following marginal notice,—"Præsens scriptum a jesuitis conceptum, et Romæ clam exhibitum est congregationi sancti officii, anno 1612."—See Appendix, No. XIX. More complained of the secrecy of this transaction, saying that he had applied to see the memorial, but had been refused. He added,—"Non va la cosa del pare, perche esso agente tiene quasi explicita notitia che delli memoriali dati per esso la parte contradicente ne habbi notitia."—To the pope, MS. in my possession.—*T.*

their letters, dropped the correspondence; and, while More, alarmed by these appearances, was expressing his apprehensions for the result, a secret feeling was weighing upon the mind of Birkhead, and assuring him that an enemy was at work[1]. At length, it became manifest that the suit was failing; and, as a last resource, therefore, the archpriest, at the suggestion of More, resolved to try the effect of another appeal to the authorities at

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[1] "Even now I have received a courteous letter from him (cardinal Bellarmine). He wisheth that some way be found out, to hasten our suit for bishops" (Birkhead to More, Nov. 10, 1612). "I do well perceive your diligence and care for our common cause, and your undaunted courage also, albeit you are so little hearkened unto. * * * Our back adversaries are so potent, that whatsoever we do I fear will be crossed. * * * There is no amity with our opposites, unless they may direct us; which being contrary to the commission his holiness hath given me, how should I perform it? * * For any thing that I see, we are past all hope" (same to same, April 2, 1613). "Himself (the nuncio) wrote not, although he had good cause, by reason of a letter I sent unto him of late. Neither doth cardinal Bellarmine write any more. These things give me some suspicion that we are not so much regarded as I do wish; but, for all that, I am not out of courage; only, I require moderation and quiet proceeding, leaving the event to God. The padri are too strong for us. They make their quarrel the quarrel of the whole society. They utterly deny their meddling against us; and, unless we can prove it, we do ourselves much wrong in objecting it. Better it will be for us not to seem angry nor moved against them, but to go on with quietness; hoping that God will right us in the end. * * * But do not conceive that I mislike your proceedings: only, my desire is that the padri go not beyond us" (same to same, May 9, 1613).—"I fear there be some that underhand give out false rumours against us" (same to same, July 26, 1613).—From the originals in my possession.

It would, however, appear that, whatever may have been the effect of the memorial described in the text, the clergy were, in some measure, indebted to a Spanish friar, named Bartolomeo Tellez, for the failure of their petition. Writing to More, at the beginning of March, Colleton says,—"Our archpriest acquainted me, some few days past, that one Bartolomeo Tellez, confessor to the Spanish ambassador, hath informed his holiness of the suit of our country in such sort, as his holiness hath given a plain denial to our long suit, and that he will hear no more thereof. Strange, that his holiness will give like credit to a stranger, who of himself could know little, and took, of likelihood, all his information and platform of speech from two or three jesuits that conversed with him whiles he was here,—strange, I say, that his holiness will give him that large credit, and not give what is right and due to his own officer here, archpriest and protonotary, nor to the best of our company, how experiencedly soever they write" (March 2, 1613. Original in my possession). To the same effect, Birkhead himself says,—"Some of our brethren are much offended with the Spanish friar's relation, and would fain take notice of his reasons, but that I tell them his discourse was delivered (*reported*) in secret to you, and that we may not take knowledge thereof."—"I am sorry that fra Bartolomeo Tellez hath served us in such sort. Alas! poor man, he knoweth full little our needs and miseries!"—To More, March 1 and 25, 1613. Originals in my possession.—*T.*

Rome[1]. With this view, he began by addressing the cardinal Borghese; describing to him the miseries and the desolation of the English church, and imploring the aid of his influence, in procuring for her the support of ordinary pastors[2]. He then wrote to the pope himself. He reminded him of the frequency with which the clergy had approached him with the same petition; declared that, without the authority of episcopal government, the destruction of religion was inevitable; and finally requested that, as the institution of archpriest was becoming useless in his hands, he might at once be relieved from the burthen of an office, for which both his years and his infirmities disqualified him[3]. More, startled at this conclusion, hesitated to present the letter: but Birkhead despatched another copy, couched even in stronger terms, and peremptorily enjoined the agent to lay it before the pontiff[4]. More obeyed; but the letter remained unnoticed. Another, addressed to the auditor Mozzenega, and followed by the zealous exertions of that functionary, was equally unsuccessful[5].

1613. July 26.

August.

Oct. 20.

Dec. 3.

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[1] "You say that our suits are like to hang still, until you be supplied from us with new means for a fresh onset. * * If my writing to Burghesio will further you, I can as well open my unskilfulness to him, as I have done to others; and so you shall see ere it be long, and perhaps in the company of this letter."—Birkhead to More, July 26, 1613. Original in my possession. The whole letter will be found in the "Illustrations of Dodd's Church History."—*T.*

[2] See Appendix, No. XX.

[3] In a letter which accompanied this document, Birkhead thus explains himself to More,—"That which you write *de ordinariâ potestate* pleaseth me well; and would to God so much were obtained; for it would not be so odious to the state. Only, I desire not to be named, because my manner of gentle dealing is not fit, as I see by experience. I have received more frumps from some four or five of our brethren, than ever I have done from the jesuits. Their ingratitude forceth me to write to his holiness as you see. I do things with good reason, and sweetly admonish them; and they prevent my meaning with most bitter invective."—August 23, 1613. Original in my possession.—*T.*

[4] "I have written divers unto you; and, in one of mine, I sent a letter to his holiness, leaving it to your discretion for the delivery. And for that I presume you have had no mind to deliver it, I have here penned another, to the same effect, but somewhat altered, which I pray you to deliver at your best opportunity."—Birkhead to More, October 20, 1613. Original in my possession.—See Appendix, No. XXI.—*T.*

[5] In this letter, he describes the persecution under which the catholics were suffering, and the disorders which, from the want of a competent authority to repress them, had grown up, and were threatening destruction to religion. He

A resolution to accord nothing to the prayers of the archpriest or of his clergy seemed to have been silently adopted: and while indifference and insubordination were rapidly extending among its members, the year 1613, like so many of its predecessors, at length closed upon the desolation of the English church.

But the period of Birkhead's labours and anxieties was now approaching its termination. Enfeebled by age (he was in his sixty-fourth year), and worn out by the repeated attacks of a distressing malady, he had, in November, 1612, represented his situation to the pope, and petitioned for the partial relief to be obtained from the appointment of a coadjutor[1]. Unfortunately, the application had failed; and the cares of his office, thus left, during the following year, to operate upon his health, had at length succeeded in destroying the small portion of strength, which still supported his emaciated frame. During the winter, he was compelled by his infirmity to confine himself to his chamber: his appetite, which had been gradually failing, now finally deserted him; and his stomach, never particularly

says that, in asking for the appointment of an episcopal superior, he is acting in conformity with the advice of his assistants, who are unanimous in their opinion, and who feel that the introduction of an ordinary jurisdiction offers the only means of removing the scandals by which they are surrounded. He remarks on the necessity of confirmation; tells the auditor that, in consequence of their inability to procure the holy oils, the clergy had frequently been unable to administer the sacrament of extreme unction, for the space of three or four years together; and finally concludes by appealing to him for his assistance, and imploring him to exert his influence with the protector, in furtherance of their earnest and most canonical petition:—"Nos sanè, in hac postulatione, nihil quærimus nisi quod justè quærimus: nihil canonibus repugnans exposcimus: extra chorum diutissimè vagantes, petimus in ordinem reduci. Misereatur ergo tua prudentia nostræ infelicitatis: dùm enim, hâc tantâ persecutione, non sine intollerabili scandalo et schismatis gravissimi periculo, alii sub prætextu fidei catholicæ libros edunt periculissimos, alii juramento fidelitatis locum dare, alii templa et hæreticorum preces adeundi licentiam concedere, alii denique videntur quæcunque voluerint facere. * * Certè nos, in medio fornacis positi, omneque genus malorum experti, veraciter eloquimur quæ scimus, hæc cupientes, tuâ charitate intercedente, illustrissimo ac benignissimo protectori nostro insinuari, quò citiùs postulata nostra pro episcopis apud suam sanctitatem efficaciter promoveat."— Dec. 3, 1613. More's copy in my possession.—*T.*

[1] "Porrò et hoc etiam addere operæ pretium existimavi, ut, cum jam senectute infirmor, et frequentiùs in morbos mortem minitantes incidere soleo, vestra clementia, ex suâ bonitate, vellet mihi coadjutorem ex nostris adjungere."— Birkhead to the pope, Nov. 16, 1612. Original in my possession.—*T.*

strong, began at last to refuse every species of solid nourishment[1]. Still, he persisted in attending to business. He received and answered whatever letters were addressed to him: he wrote to More: he consulted his assistants; and, while his friends were predicting his speedy dissolution, he was calmly providing for the interests of religion, and seeking, by a last effort, to promote the cause of episcopal government[2]. At length, however, it became evident that a few hours must close his earthly existence. Summoning, therefore, such of his clergy as were at hand, he announced to them his conviction that the time of his dissolution had arrived; informed them that he had selected Colleton, the most ancient of his assistants, to supply his place, until a successor should be nominated; and concluded by desiring them to bear testimony to the fact of his appointment, and to be the means of recommending it to their brethren, by their own dutiful submission to their new superior. He then proceeded to dictate and subscribe two important papers. The first was addressed to his own clergy, and contained, "as the best and last counsel he was like to give them," a beautiful exhortation to peace and brotherly affection: the second was intended to promote

1614.

April 5.

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[1] Writing to More, in 1613, he says,—"My indisposition is such, that neither fish nor flesh will go down; and yet you would judge me able to live, which I very much fear" (March 1). "I have been sick and weak ever since Christmas; my stomach failing me to eat any kind of meat whatsoever" (March 25). In the following year, he speaks in the same manner: "My years grow on, and my weakness of body is strange. All this winter, I have not been able to go out of doors; and, at this present, am not in case to eat any meat but broth" (Feb. 24, 1614). Clapham, one of the clergy, who was present with him, adds,—"He is weak, keepeth his chamber, eateth almost nothing but his broths and drinks. He thinketh to continue yet some time longer, and complaineth that, if the cold weather were gone, he should amend somewhat. The physician thinketh that the month of May will go very hardly with him. * * * If he doth not amend in his diet (of which I fear, for natural abilities are very far spent in him), he cannot live until Easter. The substance of meat he eateth at one meal is but half a chicken's leg."—To More, Feb. 27, 1614. From the originals in my possession.—*T.*

[2] I possess one letter written by him to More, on the business of the agency, so late as the thirteenth of March; and another dictated and subscribed by him, on the twenty-ninth of the same month, when, as he tells his correspondent, he was "brought so low with sickness," that he was "not able to write" himself.—*T.*

the same object, and was directed to the superior and fathers of the society. It spoke of their "profession and labours" as "honourable in God's church": it reminded them that they were originally sent for the assistance, not for the government, of the clergy: and, while it assured them of the readiness of the latter to unite with them, in prosecuting the great work in which they were both engaged, it implored them to confine their solicitude on other matters to their own body, to abstain from all interference in the concerns of their secular brethren, and thus to maintain and strengthen that holy league of charity and religion, by which alone the cause of God could be effectually promoted. The completion and delivery of these papers was the last act of Birkhead's life. He spent the remainder of the evening, and the whole of the following night, in exercises of the most fervent devotion. As day ap-
April 6. { proached, he gradually grew more weak: and, at five o'clock, on the morning of the sixth of April, 1614, he tranquilly breathed his last[1].

By this event, the question of their future government became invested with additional importance, in the eyes of the clergy and their friends. Hitherto, they had sought only to change the character, and to enlarge the authority, of their superior: now, the superior himself was no more: the friend and the father had been removed from them; and it was not impossible that,

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[1] "His last farewell is now lately, to our great sorrow and loss, happened, this sixth of April, about five of the clock in the morning. His departure, on the other side, was in such pious and religious manner, that it may truly assuage the sorrow of his children's losses; having his memory perfectly, even unto the last, calling and invocating our Blessed Saviour, his glorious mother, &c.; passing away so mildly, without any pain or moving, as if he had taken his natural sleep. Both before the instant of his departure, and also in all the time of his sickness, he confessed he found not any pain, but only the malady of his languishing infirmity, natural ability being consumed. In this time of his weakness, I was willing, though little able, to do the duty of a loving child, and the more careful, in respect of my brethren, to put him in mind to have care, in what he could, of their hereafter good. * * * I put him in mind to assign some to execute his office, till another be constituted or elected; and he named, before four witnesses, Mr. Colleton. He hath written two letters on his deathbed," &c.—Clapham to More, April 8, 1614. Original in my possession. See Appendix, No. XXII.—*T.*

without obtaining what they had so long and so earnestly solicited, they might henceforth be subjected to the authority of a spiritual ruler, who would possess neither their confidence nor their love. With these feelings, therefore, they at once proceeded to renew their supplications for a bishop. Among the papers left by the late archpriest, were two memorials, addressed respectively to the pope and the protector, and containing the dying prayer of the writer, that his successor might be a man attached to the interests of the clergy; that the election of this person might be intrusted to the twelve assistants; and that the jurisdiction to be conferred on him might be of that more dignified and independent character, which alone could support religion, and maintain subordination amongst its members. These memorials, which had been suggested by Edward Bennet[1], had been drawn up and subscribed by Birkhead, and had afterwards been transmitted to London, for the purpose of being engrossed. Before they returned, Birkhead was dead. The packet, however, was instantly forwarded to Colleton (he was a prisoner in the Clink): by him two letters, one to More, the other to the protector, were added to it; and, on the tenth of April, the whole was despatched to Paris, on its way to its final destination[2].

March 27, 28.

April 10.

[1] Bennet, writing to More, says,—"I have drawn the form of a couple of letters, and sent them him, entreating he would be pleased to write to that purpose to Paul and the protector" (March 12, 1614. Original in my possession). By "drawing the form," Bennet can mean nothing more than *suggesting the substance*, of the Memorials: for of one, the memorial to the pope, I possess Birkhead's own draft, written, as was his invariable custom, in English. I may add that Bennet, in another letter, expresses himself in a different manner:—"I was sent for," he says, "of purpose to see him, and departed from him the day before he left us. Some fortnight before, I had *procured*, as I told you in my last, a couple from him, the one to Paul, the other to the protector," &c.—To More, April 11, 1614. Original in my possession.—*T.*

[2] In his address to the protector, Colleton announced his provisional appointment to the office of archpriest, and expressed his anxiety to be relieved from it, by the nomination of a permanent, and, he trusted, of an episcopal, superior. The letter to More explained the circumstances connected with the form in which the memorials, and particularly that to the pope, were transmitted to Rome. It appears that, in the first instance, Birkhead asked only for the appointment of an acceptable person to succeed him, without naming any individual: by the persuasion of his friends, however, he afterwards added a postscript, recommending Bishop, Kellison, and Champney, to the consideration of

The next object was, to consult the leading members of the clergy, and to decide on the names of two or three individuals, from whom the pope might be requested to select their future superior. After several ineffectual attempts to communicate with the assistants, Colleton at length obtained a procuration from Trollope and Edward Bennet, authorising him to act on their behalf, and

July 28. { to affix their names to a memorial on the subject. A paper was now drawn up and despatched to Rome, praying that either Bishop, Smith, Harrison, or Champney, but more particularly Champney, might be appointed, with ordinary jurisdiction, to take charge of

Sep. 1. { the English church [1]: this was followed by two others, to the same effect, from six of the assist-

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his holiness: but, subsequently resolving to abide by his original intention, he struck out the postscript, and, with this and other less important erasures upon it, sent the document to be engrossed. The engrossed copy was, of course, made in conformity with the corrected draft: but, as it wanted the signature of Birkhead, so it wanted also the authority necessary to recommend it to the pope; and, to elude the difficulty, therefore, Colleton sent both draft and copy to More, who, on the fifth of June, laid them together before the pontiff. See Appendix, No. XXIII.—*T.*

[1] See Appendix, No. XXIV.—It was signed by Colleton and John Bennet, on their own behalf, and by Colleton on that of the two parties mentioned in the text. Besides the names here said to have been recommended to the pope, Colleton, who drew up the memorial, inserted those of Worthington, Kellison, Fitzherbert, and More; adding, however, that Kellison and More were too serviceably employed, to be removed from their present stations, and that Worthington and Fitzherbert, the former from some old accusation, the latter from the boldness of his writings, were too obnoxious to the government, to be safely invested with the proposed charge. The mention of Fitzherbert's name seems to have given offence to Edward Bennet, who complained to More of its insertion, and declared that he would never have knowingly consented to it. "Because I knew," he says, writing to More, "how necessary it was that you should have our letters and hands, to show whom we would have in this election, I importuned our friends at London, and specially Mr. John Bennet, being then in hold, that a letter should be drawn, to crave that the election might be committed to the assistants: if not, then they should name half a dozen, whom they should propose to Paul, out of whom he might make his choice. Withal, I gave authority to put my own name to what they wrote, but also Mr. Trollope's, and Mr. Dr. Harrison's. To Mr. John Bennet I proposed yourself, Dr. Bishop, Dr. Bosvile, and Dr. Champney" (in another letter, of July 8, 1614, he says that he proposed More, Colleton, Bosvile, Smith, and John Bennet). "Well, sir, the letter was drawn, and sent away, before ever I had either notice or sight of what my hand was put unto. Being informed after, that the letter was sent, I desired to see a copy of what my hand was put unto; which when it came to my hands, and I saw what was written of Mr. Fitzherbert, I was out of all patience. * * * Whereupon I writ to Mr. Colleton, after I had sharply rebuked Mr. John Bennet for giving way to it,

ants[1]: and, while Bishop, Champney, and the other members of Arras College, were, in general terms, petitioning for an episcopal superior, to be elected by the assistants, Kellison from Douay, and More in Rome were urging the same request, and seeking, by the reiteration of their entreaties, to awaken the attention of their rulers[2]. Unfortunately, to all these applications no answer was returned. Though the clergy continued to write, and More redoubled his importunity, yet the same indifference to their appeals, if not the same silent and contemptuous bearing towards themselves, still marked the demeanour of the Roman court[3]. It was in

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that I did marvel they would once name Mr. Fitzherbert, being removed, as he was, for his ill-dealing against Mr. Dr. Smith, Mr. More, yea, against our whole body. * * * This I writ, with much more: their answer was, they thought it fit, for some causes, to write so: thereupon, I stirred no further in it" (Jan. 12, 1615. Original in my possession). With regard to the "causes" or motives of this proceeding, Colleton tells us that, when he wrote the memorial, he had reason to apprehend that Fitzherbert might be appointed; that he had resorted to the expedient of mentioning his name, in company with the objection which he had stated, as the most likely means of preventing his nomination; and that, at all events, by the course which he had adopted, he had laid the ground for future reclamation, in case that clergyman should be selected to preside over them.—To More, Jan. 8, 1615. The letter will hereafter be given in the Appendix, No. XXV.—*T.*

[1] More's copies in my possession. They were signed by Bosvile, Harrison, Broughton, Trolloppe, and the two Bennets, and were addressed, the one to the protector, the other to cardinal Mellini. In the latter, they state the substance of their petition to be,—"Ut unum e tribus aut quatuor à nobis proponendis sua sanctitas constituere, eique ampliorem jurisdictionis gradum conferre, dignetur."—*T.*

[2] "I send you here one for Cardinal Burghesio; the reason whereof is, that we may concur with our deceased archpriest and Mr. Dr. Kellison, who, as he saith, hath written to the like effect" (Champney to More, June 4, 1614. Original in my possession). "I am in your opinion, that the request of committing that care (*the election*) to the assistants will not be granted, though I see no great inconvenience in asking it: and, to show a conformity in our desires, we have also asked the same" (same to same, June 17, 1614. Original in my possession).

It may, however, be added, that the views of these parties, with regard to the particular individuals to be nominated, were not dissimilar from those of Colleton and the assistants in England. "The parties that we here think fittest for that office, of such as are in England, is Mr. Colleton; but he is in prison, and, besides, is so old that, in a short time, we should be to seek anew: after him, is Dr. Bosvile, and the two Bennets. Out of England, is Mr. Dr. Bishop (whom I name), and Mr. Dr. Smith. For Dr. Kellison, he is well employed where he is."—Champney to More, April 22, 1614. Original in my possession.—*T.*

[3] Nelson, writing to More, says,—"We shall be glad, for the good of God's

vain that Colleton prayed to be relieved from the burthen of his temporary office: it was in vain that he pointed to the miseries and the scandals of religion, to the growing spirit of insubordination among the clergy, and to the impossibility of maintaining discipline among men, who, by the circumstance of his imprisonment, no less than by the provisional nature of his authority, were rendered independent of his power[1]. Even to a representation that his jurisdiction was questioned, and that Bosvile, one of the assistants, had actually refused to acknowledge it, no attention was paid. The wants and the supplications of the English church seemed to be alike disregarded: nor was it until more than twelve months had rolled away,

1615. January.

church, that those fair words and promises you speak of were once seconded with deeds, and not thwarted, as they are, by actions. Is it not strange that, in the life of our late archpriest, and since, his holiness should never employ yourself, our agent, when he sendeth any thing hither, but doth it either by the nuncio or the padri? Would he do it, if he either respected you or us?" (June 20, 1614. Original in my possession).—It is not, however, impossible that, in the present instance, the conduct of Rome may have been influenced by a report, fabricated by some members of the society, that, shortly before the death of Birkhead, the clergy had met, and, with a view of course to assert their independence, had elected a superior to succeed him. Edward Bennet, who appears to have been particularly pointed at in the tale, thus speaks of it, in a letter to More. Having said that he had abstained from writing to Rome, lest "the padri should calumniate" him, he adds,—"And so I find, by your letters, they have already done, in their speeches and informations of our meeting for making a superior, and how one should zealously oppose himself against me. I assure you, sir, and I beseech you to inform, that we never had any such meeting, that ever I knew or heard of, nor the least colour whereupon they should ground any such report. There hath never been mention of choosing a superior" (April 17, 1614. Original in my possession).—Of the memorials presented by More at this time, I have not less than twelve before me at the present moment.—*T.*

[1] "I have no doubt but the superior is appointed ere this: wist I the contrary, I should write with all importunity to his holiness, beseeching that he would not delay the assigning of another, as well in respect of my unfitness and aged years, as for my imprisonment; a main hindrance to the due execution. If there be not, before this arrive, another elected, I request you, of all love, to hasten the election: for, if I might have a very liberal pension, to continue the place and office, I should contemn it. * * I pray rid me from the office, as, of conscience, you would, if you saw the hurt that the common cause receiveth, by want of a superior at liberty."—"If those, that rule there, were beholders of the inconveniences that arise here, for default of an established superior, they would not delay us as they have: for what can be done or expected, touching order of discipline, when the superior is unsure to continue in his authority one day?"—Colleton to More, Nov. 25, and Dec. 14, 1614. Originals in my possession.—*T.*

and until the clergy, worn out with disappointment, had almost abandoned the hope of obtaining a superior, that a prospect even of partial success began to open upon their view[1]. At length, however, they were surprised by a report that Doughty, a carmelite friar, and originally an attendant on one of the Ropers, had received a commission, through the nuncio in Flanders, to ascertain their wishes, and to report them accordingly to Rome[2]. In a few days, Doughty appeared in London. He re- } April.
presented himself as the agent of the Roman }
court, declared that a resolution to appoint a superior had at length been adopted by the holy see, and, having intimated that the selection of the individual for the vacant office would depend on the report which he should now be enabled to return, concluded by tendering his services, in the capacity of special agent, to procure the nomination of an episcopal ruler. At first, his overtures seem to have been favourably received by the clergy to whom they were addressed: subsequently, however, a different feeling arose: a letter from Edward Bennet reminded his brethren that they already possessed a zealous and efficient representative at Rome; and Doughty was accordingly informed that, whilst the clergy thanked him for his charitable offer, and would be grateful for his friendly cooperation, they had no reason to be dissatisfied with their present agent, and must hesitate to transfer his commission to another. Doughty, if not displeased, was disappointed by this reply. However, he afterwards saw Colleton and some of the assistants; and, having obtained their consent to the nomination of Harrison as their superior, he next

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[1] "The long delay of our business, in appointing us a superior, doth still confirm them in their opinion, who think we shall have no more superiors; and maketh also others begin to fear the same."—Champney to More, Nov. 18, 1614. Original in my possession. See Appendix, No. XXV.—*T.*

[2] "Mr. Thomas Doughty, a carmelite, once attendant upon Mr. Anthony Roper, was employed in that affair by the nuncio of Flanders, as himself told me, and did busy himself exceedingly in the negotiation. Still he was roundly excepted against by some of our company."—Colleton to More, July 11, 1615. Original in my possession.—*T.*

proceeded to that clergyman, and, under pretence of some alleged accusation, persuaded him to sign a letter, declaratory of his opinions on the oath of allegiance. This letter, so Harrison supposed, was to have been sent to Rome: but Doughty, apparently with the privity of Musket and some others of the clergy, thought proper to suppress it: another was substituted in its place; and Harrison, instead of confining himself to a statement of his own opinions, was made further to declare that Bishop, Champney, and others, who had been recommended to the holy see, were advocates of the oath, and, consequently, as enemies of the papal authority, unfit to be intrusted with the superintendence of religion[1].—On the eleventh of the following July, a breve was signed, appointing Dr. William Harrison to the office of archpriest, and investing him with all the powers and faculties, which had been enjoyed by his predecessor[2].

July 11.

[1] See Appendix, No. XXVI.

[2] In these faculties, however, was inserted a clause, authorising the nuncio at Paris to act as ordinary of England and Scotland, and subjecting the archpriest and his clergy to the immediate jurisdiction of that prelate. To this arrangement the clergy naturally objected. They conceived that, without possessing the advantages of the government which they sought, it tended to lessen the dignity of that which they possessed: that, in point of fact, it was calculated to encourage insubordination, by facilitating appeals; and that, by it, the authority of the archpriest, already sufficiently slighted, would, in all probability, be rendered wholly ineffective. On this account, More was instructed to lay the matter before the college of cardinals, and to represent to that body the inconveniences likely to arise from the new appointment. This he did by a short memorial, which he drew up and presented at the next meeting of the congregation: the answer, however, appears to have been unfavourable; and Harrison, with his assistants, resolved to submit without further remonstrance. "Touching the ordinary," he says, "I have conferred with all my chief friends, who say that there is more in it than you write of; * * for half a score of them are of opinion to admit him, and make no opposition" (To More, Aug. 22, 1616. Original in my possession). See Appendix, No. XXVII.

I cannot close this note without remarking, as one of the characteristic features of Harrison's appointment, that, long after it had taken place, More, the agent, though residing in Rome, was still ignorant of what had occurred, and that, for any thing that appears to the contrary, it was first announced to him from Douay or Paris. Only three days before it was concluded, he wrote to Champney for information on the subject:—"I received yours of the eighth of this present," says the latter in reply, "and see in the first lines, that you expect from hence news of a superior; which is strange to me" (July 28, 1615. Original in my possession). On the fifteenth of August, more than a month after the date of the breve, he wrote to Dr. Kellison: yet the latter, addressing him in reply, says,—"They write from Paris, that certainly Dr. Harrison is archpriest: but I doubt it, because I hear it from no other part" (Sept. 8, 1615.

Harrison, notwithstanding the circumstances of his nomination, was by no means unacceptable to the general body of the clergy. He was a man of unaffected piety, respectable alike for his age and for his learning, and recommended to his brethren by the affability of his manners, and by the peculiar mildness of his deportment. Without the energy or the firmness of some, he possessed all the honesty of mind, and all the integrity of purpose, which marked the most distinguished of the clergy. He was the friend of order, the advocate of canonical government, and, though formerly known as the agent of Blackwell and the familiar of Persons, had long since proved himself to his acquaintance to be the warm, though not the blind, supporter of the interests of his own order[1].

His first care, on the arrival of his breve, was to notify his appointment to his assistants, and, after charging them with the preservation of discipline in their several districts, to urge them to employ their influence in suppressing animosities, and cherishing a feeling of brotherly affection among the missionaries[2].

Original in my possession). In the same way, but even more distinctly, Reyner, four days later, says,—"Within some few hours that I had written my last, in answer of your last to me, I understood that Dr. Harrison was made our archpriest; and I wondered not a little that you there could be ignorant thereof."—To More, Sept. 12, 1615. Original in my possession.—*T.*

[1] "I remember he" (*Geoffrey Poole*) "advised me once, with very good reason, not to make choice of Dr. Harrison for my assistant. Now it is fallen out the contrary. Mr. Ratcliffe" (*Mush*) "at his death, commended him to his friend" (*Lady Dormer*), "and she, with other friends, hath made great insinuation that he might succeed in his office. Considering her merits, I have yielded. I know the man is but soft, yet honest, and sincere, and emulated of none, and, I hope, will help to conserve our peace."—"In Mr. Mush's room I have placed Dr. Harrison, a man beloved of all sorts" (Birkhead to More, May 2, and June 7, 1613. Originals in my possession). "Is satis doctus est et inter omnium antiquissimos, tantæque sinceritatis ac probitatis, ut illius electionem nulli hominum in hoc regno offensuram existimem" (Same to cardinal Farnese, May 15, 1613. MS. in my possession). "He is wholly for our corporation, and so good a man, that I know not upon whom the lot could have fallen better" (Clapham to More, Nov. 19, 1615. Original in my possession).—The reader, however, will probably remember that Harrison was the person, in whose name, as the agent of Blackwell, most of Persons's offensive memorials against the appellants were drawn up and presented to the pope.—*T.*

[2] "Whereas his holiness hath appointed me, by his apostolical breve, superior over all the secular clergy of this kingdom, the burden whereof I would most willingly have avoided, but that the chief pastor, *in virtute sanctæ obe-*

From this subject, his attention was not unnaturally called to the situation of the seminaries, and, in particular, to that of Douay. When Kellison consented to accept the permanent superintendence of that establishment, it was not without a feeling conviction of the difficulty of the task which he was undertaking. Personally, indeed, he had little to apprehend from the opposition, or from the reluctance of the students. By the weight of his influence, and through the confidence inspired by his character, he had already succeeded in enforcing the regulations prescribed by the late visitors, and, in the course of a few weeks, had effectually restored the peace and discipline of the house[1]. But, unfortunately, he was not to be invested with that independent authority, which alone could give stability to what he had thus established. In defiance of his entreaties, the jesuit confessor was still to be retained; Norton and Singleton, the very men whose intrigues had overthrown the government of Worthington, were to hold their former situations; and, while the new statute forbidding him either to dismiss the old assistants, or to appoint others, was to be strictly enforced, the privilege of selecting his own professors in the college, or of nominating his own agents at Rome

dientiæ, commanded me to undergo the same, I thought good, by these presents, to give you, my brethren, notice thereof, as also of the charge his holiness giveth me, and us all who labour in this vineyard, to keep peace and union amongst us. Therefore, I do desire you, my reverend assistants, that you would acquaint our brethren, who live within your circuit, and under your charge, with his holiness's desire herein; admonishing them that they go on peaceably and with edification in their holy labours, *nemini dantes offensionem, ut non vituperetur ministerium nostrum.* If there do fall out controversies amongst them, or any thing offensive (which God forbid) in their ordinary carriages, do you call him or them before you, and charitably compose their differences; hoping they will obediently follow your directions, without urging of you to take any further course, which, in cases necessary for conservation of discipline, must not be omitted. For the religious, also, I pray you see and be careful that our said brethren give them that loving correspondence, is fit labourers in the same vineyard should yield one another, for the setting forth of God's cause; hoping *they* will, out of their charity, be as ready to embrace them again. And so, comforting one another, the harvest we have in hand may the better go forward, his holiness's will observed, and God the more honoured; to whose holy protection I do commit you this 28th of October, 1615." Harrison to his assistants. MS. in my possession.—*T.*

[1] See his letter of August 4, 1613, in the Appendix, No. XVI.

and elsewhere[1], was to be wholly and permanently withheld. Against these arrangements he had constantly remonstrated, during the period of his provisional government: when his final appointment arrived, he renewed his appeal, and, for nearly three weeks, persisted in declining the responsibility of an office, from which, under such circumstances, he could anticipate little but anxiety and vexation. At length, however, the entreaties of the nuncio conquered his reluctance, and induced him to forego his previous determination. Trusting to the assurances of that prelate, he resolved at least to make an experiment of his powers, to try the effect of time and perseverance, and, in the meanwhile, to avail himself of every favourable occasion to renew his suit, and to urge on the attention of his superiors the necessity of yielding to his prayer[2]. An opportunity soon offered. Shortly before the appointment of the new president, Walpole, the jesuit confessor, had been removed, and Rand, another member of the society, had been substituted in his place. Rand was a man of amiable manners: his frankness soon won the confidence of the students, and his conciliating demeanour was already softening down the recollection of past disputes, when, at the end of six months, he was suddenly recalled, and, without even the formality of a communication with the president, Edward Burton, a young divine, who had just finished his noviciate at Louvain, was appointed to succeed him. If the abruptness of this proceeding was calculated to offend Kellison, the rapidity of the late changes, coupled with the youth and inexperience of the new confessor, was not likely to avert the opposition of

1613. October.

1614. April.

[1] The agent employed by Worthington, and still retained, at Rome, was Fitzherbert; at Madrid, father Holt. The duty of the latter was to solicit and receive the pension allowed by the Spanish government. This pension had, for several years, been unpaid: and Kellison, who sought to remove the present agent, was anxious to appoint a person, who, from being more interested in the event, might naturally be expected to be more zealous in his efforts to obtain the outstanding arrears.—*T.*

[2] See Appendix, No. XXVIII.

April 20. the other members of the house[1]. In the course of a few days, a petition, signed by fifteen of the principal students, was placed in the hands of the president. It complained of the want of proper superiors, and of the mischiefs arising from the frequent changes of the confessor: it spoke of the hardship of being compelled to submit their consciences to the direction of a man, taken from another order, and scarcely emerged from his own studies; and finally it expressed a hope that, through the influence of Kellison at Rome, their several grievances might be redressed,—in particular, that the present assistants might be removed, that others, qualified to discharge the duties of professors, might be appointed, and, above all, that, if the *ordinary* confessor must be a jesuit, another, as *extraordinary*, might be nominated from their own body, with power to undertake the spiritual direction of all who might choose to have recourse to him. Kellison, who, in the preceding month, had addressed the protector and others on these very subjects[2], now renewed his appli-

[1] "Father Rand, who was sent thither in Father Walpole's place, behaved himself so well and indifferently, that he is called away, and another sent thither of twenty-five years of age, of two years' study in divinity, and three years' standing in the order: and this grave man must have the preeminence over all our grave and learned men there, to be confessarius. I know not what they mean by it, unless they desire to make men out of all patience. That opinion they have of themselves and us, that they esteem the least and lowest of their body more learned, prudent, and judicious, than the best and most grave amongst us."—Champney to More, May 21, 1614. Original in my possession.—*T.*

[2] More's copy of his letters, March 9, 1614. MS. in my possession. His requests were as follows: "1°. Ut, ad mutuum juvamen et consolationem, arctè conjungantur clerus laborans in Angliâ et collegium Duacenum, unde quotidie mittuntur novi operarii in messem Domini: 2°. Ut liceat rectori collegii constituere sibi quos placet agentes vel procuratores, in diversis regionibus; sic enim meliùs administrabuntur res collegii per homines sibi notos, charos, et de quibus nulla potest esse suspicio negligentiùs acturos in rebus fidei suæ commissis: 3°. Ut ex designatione rectoris habeat collegium prælectores, ad ea docenda quæ patriæ conversioni propria sunt, et accommodata ad captum eorum qui mittendi sunt inter hæreticos: 4°. Ut judicio rectoris, inidonei, inutiles, et quorum præsentia plus turbarum quàm utilitatis collegio affert, dimittantur (*In this he alludes to Norton, Singleton, and Williamson, the three assistants*): 5°. Ut assignetur unus aut plures confessarii docti et pii scholaribus, ex suo ordine, et non astringantur externis, in gravamen conscientiarum, perpetuum dedecore cleri, collegiique continuam perturbationem; ex hoc enim fonte et scaturigine quot mala et animorum aversiones fluxerunt?—tantumque paci et unitati cleri obest, ut scholares sæpiùs de eo conquesti sunt et clerus universus."—More's copy in my possession.—*T.*

cation to the same parties, and, to strengthen it, forwarded the petition of the scholars to Rome[1]. (April 23.) For some time, no answer was returned. At length, however, the draft of a decree was forwarded to cardinal Bentivoglio, the nuncio at Brussels, and (Sep.) by him communicated to Kellison. A correspondence on the subject now ensued; the objections and representations of the president were seconded by the nuncio; and, after five months more of doubt and anxiety, Kellison at last received the final determination (1615. Feb.) of the protector. It confirmed the jesuits as the *ordinary*, but permitted the nomination of two secular clergymen, to act as *extraordinary*, confessors: it authorised the establishment of three divinity lessons, and the appointment of the necessary professors within the college; and it distinctly provided that, unless the present assistants were competent to discharge the duties of the professorship, report should be made to the protector, and persons better qualified, to be recommended by the nuncio and the president conjointly, should be substituted in their place[2]. Six months later, a special order, from the protector to the nuncio, (August.) commanded that functionary to remove two of the assistants, Singleton and Williamson, and to appoint others who should be more acceptable to the superior of the house[3].

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[1] "Upon the occasion of changing our confessarius again (for father Rand, who truly had given, by his sincerity, as great satisfaction as any jesuit could, is called away on a sudden, and another young man, called father Burton, sent in his place), our scholars made a supplication to me: and because I could not tell how otherwise to satisfy them, I told them I would send it to our superiors. And so I have sent a copy of it to the nuncio, desiring him to reveal it to none but superiors;—for this passed here without any tumult, yea, without any knowledge of any but those that subscribed. I have written to the pope's nephew about it, and have, with my letter to him, sent the very original of their supplication. I send all open, that you may use your discretion."—Kellison to More, April 23, 1614. Original in my possession. See Appendix, No. XXIX.—*T.*

[2] Copy of the decree, appended to the visitation of Douay college, 99, 101—103. MS. in my possession. The decree is signed by Farnese, as protector, and cardinal Mellini; and is dated November 5, 1614: Kellison's letter, in which he first speaks of having received it, was written on the 11th of February, 1615. The divinity lessons were first opened, on the 12th of April following, by Kellison himself and Henry Mailer, formerly theological moderator.—Douay Diary, i. 139, 140.—*T.*

[3] "Quelli che possono essere piu grati al presidente Chelisono." See Ap-

It was at this moment that the attention of the archpriest was drawn to the situation of the establishment. The success, already achieved, had naturally animated Kellison to further exertion; while the effect produced by it, both among the students and among the clergy, afforded at once the strongest evidence of the wisdom of what had been effected, and the most powerful inducement to perfect the work, by completing the independence of the seminary[1]. But, unfortunately, the jesuits were not disposed to relinquish the share, which they had so long possessed in the management of its concerns. By their influence, and in defiance of the protector's injunctions, Singleton was still suffered to retain his position in the house: Weston, another refractory professor, was supported by the same means against the remonstrances of the president[2]; and, while

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pendix, No. XXX.—Norton was omitted, probably because he had abandoned his former course of opposition, and had apparently united with Kellison in promoting the welfare of the college (Kellison's letter of Feb. 11, 1615, in the Appendix). He retired, however, voluntarily, in October 1616, for the purpose of taking up his residence with the English nuns at Brussels.—Douay Diary, i. 144.—*T.*

[1] "You may tell Monsignor Mozzenega, that this cometh of this order which is taken for grateful assistants and readers, that we live in great peace, and never in greater; and, consequently, the scholars proceed better both in learning and piety, as even the jesuit confessarius has confessed. Besides, they in England, who heretofore held their hands, have now of late sent me, in our necessities, £200 sterling: and Dr. Smith lends us £100, and perchance, as he writes, if things go well, will give it. Dr. Bishop and Mr. Dr. Champney, they lend £50, and will give it also, if grateful men be here. Likewise Mr. Colleton writes, that he hopes to send me yet an £100 more."—Kellison to More, April 19, 1615. Original in my possession.—*T.*

[2] For some unexplained reason, the nuncio, instead of dismissing Singleton at once, as he dismissed Williamson, referred his case, and that of Weston which subsequently arose, to father Creswell, with instructions for that jesuit to remove them. Creswell received the order, but neglected to attend to it: and Kellison, to destroy every pretext for delay, proceeded to fill up the place, by asking for the appointment of Smith. To his mortification, if not to his surprise, he was here again foiled. The opposition of the jesuits instantly crossed the application; and he was once more thrown upon the almost hopeless alternative of petitions and remonstrances, for redress. Writing to More, in January, 1616, he says,—"I pray you urge the auditor to write to the new nuncio" (the nuncio had just been changed) "to dismiss Dr. Singleton, and I shall deal for dimission of another" (he means Weston), "whom Mr. Green knoweth" (Jan. 5, 1616. Original in my possession). And again, in the following October, he writes,—"Dr. Norton leaving the college, by reason that his friends dare not otherwise send him his annuity, I wrote to the nuncio to rid me of these two, to execute the order, &c.: otherwise I should be wearied out, and enforced to

factions were thus encouraged, and slanders of the grossest character were circulated against the college, Burton, the jesuit confessor, was engaged in denouncing the late order of the protector, and branding every student with the guilt of deadly sin, who should venture to approach to any director but himself[1]. Under these circumstances, Harrison saw the necessity of coming forward in support of the struggling interests of the establishment. Having assured Kellison of his anxiety to cooperate with him, he proceeded at once to assemble his assistants, and, with them, to address the pope and the leading cardinals in behalf of the college[2]. At the same time, he wrote to the general of

1616. July.

leave the college. If this will not serve, I must write the same to the pope and protector, in the best manner I can" (To the same, Octob. 28, 1616. Original in my possession).

Speaking of the failure of Dr. Smith's nomination, Champney says,—"The let that is in Dr. Smith's going to Douay is the opposition of the jesuits (as Dr. Kellison writeth), who say that he goeth about to bring thither their professed enemies. Are we like to have peace with these men? See", he adds, addressing More, "if you can procure liberty for Dr. Kellison to receive such as he thinketh fit for the college; for, otherways, we shall always be under their ferula."—December 10, 1615. Original in my possession. See Appendix, No. XXXI.—*T.*

[1] For the truth of this fact we have the positive testimony of Kellison himself, in a letter of complaint, written, only the day after the occurrence, to the cardinal protector, Farnese. It was in the course of an exhortation on the sacrament of penance, that Burton took the opportunity of introducing the topic. He had, in general terms, asserted the dangerous impropriety of lightly quitting an accustomed spiritual director, and then, in reference to the individual case before him, proceeded to declare, that the jesuits had been selected for the office of confessors in the college, because they were better qualified for its discharge than the secular clergy: that to quit them, or even to think of quitting them, for persons of another order, was an enormous crime: that, if any one of the students entertained an opinion adverse to the continuance of a jesuit confessor in the house, he was bound, under pain of mortal sin, to reveal such opinion to him: and, finally, that, of those who now resorted to the incompetent persons lately appointed to act as extraordinary confessors, there were doubtless some, whose only object was to sin more freely, to escape the reprehension due to their offences, and to slumber in quiet on their crimes!—See Appendix, No. XXXII.—*T.*]

[2] "Ut reverendo domino Kellisono, S. T. D., quem non modò omnes Angli, sed exteri etiam, propter prudentiam, eruditionem, et virtutem, suspiciunt et venerantur, libera concedatur, snb illustrissimo vestro nuncio in Flandriâ, administrandi ac disponendi ratio, recipiendi ac rejiciendi alumnos, confessarios constituendi, sine alterius externi admixtione, sicut ab initio, quadraginta plus minus annis, à tempore illustrissimi cardinalis Alani et sequentium rectorum, usque ad obitum illius, factum fuit; quando collegium illud, mater omnium nostrorum seminariorum, fœtusque cardinalis Alani, pace et concordiâ mirificâ gaudebat. Audivi D. Kellisonum, præsidem modò regentem, dolere et con-

the "society", expressing the regard of the clergy for his person, and entreating him, as he valued their affection, to interpose his influence, and procure the removal of his subjects from the spiritual direction of the house[1]. With the answers returned to these and other similar appeals we are unacquainted. Burton, however, was still maintained in his office; the complaints of the clergy and of their superiors were still unregarded; and Harrison and the president were still left, with almost hopeless importunity, to urge their constant but unavailing suit. At the end of thirteen
1617. Aug. 28. months, however, they at last succeeded in displacing Weston, who was summoned to Rome, to answer for his misconduct: and twelve months later
1618. Aug. still, the nuncio, worn out with entreaties and remonstrances, took the case into his own hands, and ordered Singleton to be summarily dismissed[2].—

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queri quòd conditiones honorabiles in Galliâ reliquisset, canonicatus, dignitates ecclesiasticas, publicam lectionem in celeberrimâ universitate, et nunc maneret in servili conditione, ut, præter morem aliorum collegiorum, nec recipere aliquem possit, quin contrà excipiatur ab illis quibus non incumbit, nec rejicere protervum quempiam possit, etiamsi rationes luce clariores adferret; factumque hoc fertur, ut tædio afficeretur, ad dandum aliis locum" (Harrison to the pope, July 25, 1616. His own copy in my possession).—On the fourth of the preceding February, he had written to More, saying, in reference to Kellison,—"He is my good, ancient, and loving friend, to whom I willingly promise all concurrence and assistance" (Original in my possession): and, on the eighth of the following month, he had addressed the nuncio at Brussels, recommending the president and the seminary to the special protection of that prelate. MS. copy in my possession.—*T.*

[1] See appendix, No. XXXIII. The general was Mutius Vitelleschi, a man of a liberal and enlarged mind, who, on the death of Aquaviva in the preceding year, had succeeded to the government of the society. As rector of the English college at Rome, he had formerly recommended himself to the affection of the clergy; and it was not, therefore, without a hope of at length adjusting their differences with the society, that they beheld his appointment to his present office. More and Champney were the first to address him, the former in a lengthened memorial, detailing the grievances of the clergy, and suggesting the means of redressing them; the latter in a short epistle, in which he assured him of his attachment, and implored him to exert his new authority in restoring harmony among the members of the mission (More's copies of the letters in my possession).—I have not found the answers to these addresses.—*T.*

[2] "28 Augusti, 1617, dominus doctor Westonus, et ipse literis illustrissimi cardinalis Mellini, vice-protectoris nostri, accersitus, * * è collegio discedens, Romam versùs iter arripuit" (Douay Diary, i. 148). "Circa hoc tempus (*August* 19, 1618), dominus doctor Singletonus, qui 10 Augusti Bruxellas versùs iter carpebat, ut ibidem communibus omnium scholarium de illo

Champney, in the following April, was, by authority from the protector, publicly installed as vice-president, in the room of Norton[1]. 1619. April 25.

But an occurrence, trifling in itself, however important in its consequences, was now about to decide the principal questions between the college and the society. For several years, and in pursuance of a custom introduced by Worthington, the scholars, each in their several classes, had received their instruction in the public schools of the fathers. The establishment of domestic theological lectures, in 1615, had partially broken down this objectionable practice: but, since that period, nothing further had been effected: the change had been confined to the students in divinity; and those, who were engaged in prosecuting their course of humanity, were still compelled to resort to the jesuit professors. It chanced that one of the scholars thus situated had been assailed by a Frenchman, a frequenter of the same school, with some opprobrious epithet, and had resented the affront with a slight blow. The circumstance was reported, probably with exaggeration, to the jesuit superiors: the Englishman was summoned to answer for the offence of striking his companion; and, after having been first dismissed unpunished by the jesuit prefect, was, by another superior, a person distinguished for his antipathy to the English seminary, brought back, and ordered to be publicly subjected to the most disgraceful species of corporal chastisement. From this infliction he was rescued by a body of his countrymen, who interposed to prevent the execution of the sentence, and, with him, were, in

querelis, nuncio apostolico factis, manuumque subsignatione confirmatis, responderet, ab eodem nuncio, authoritate quidem protectoris, ab hoc collegio, cujus pacem jam diù inquietaverat, est amotus." Ibid. 156.—*T.*

[1] Eximius dominus Antonius Champneus, * * * literis protectoris hùc advocatus, 25 hujus mensis *(Aprilis)*, præfatis publicè prælectis literis, protectoris authoritate à reverendo domino præside vice-præses est declaratus: cujus ad nos adventum scholares posteà, tùm carmine, tùm solutâ oratione, sunt gratulati" (Douay Diary i. 159).—The protector's letter of appointment, written, as he expressly says, by command of the pope *(jussu pontificis)*, was dated on the eighteenth of the preceding September. MS. copy of the letter in my possession.—*T.*

consequence, expelled from the schools. On the return of the party to their own college, Kellison, fearful of seeming to approve their conduct, ordered the principal offender to be punished, and then sent to the jesuit rector, to express his regret at what had occurred, to explain the real nature of the original transgression, and to request that, under all the circumstances, the students might be again received into the schools. The application was unsuccessful. Two days later, therefore, it was renewed by Kellison, in a personal interview with the rector: but the latter refused to yield, unless an unlimited right of punishment, both for the present and the future, were vested in the hands of the jesuits; and the negotiation, thus checked at the very outset, 1619. May 27. was at length finally abandoned. As a last resource, Kellison now recalled the remainder of the English students from the jesuit schools, and, having appointed the necessary professors, from amongst his own subjects, opened a regular course of instruction within the walls of the college[1].

For this decided but unavoidable step the fathers appear to have been unprepared. Irritated, therefore, by a measure which they had not anticipated, they forthwith proceeded to carry their complaint to Rome, and, by an exaggerated account of the late occurrence, to draw down the anger of the pontiff on the head of the president. Unfortunately, in the protector, Farnese, they found but too willing an assistant. Without stopping to ascertain the truth of the several charges laid before him, that prelate hastened at once to pro- Aug. 9. nounce judgment against the college, and, by introducing a body of new regulations, to place both the superior and the establishment in the most humiliating subjection to the rival order. On the subject of the jesuit confessor, Kellison was henceforth to observe a perpetual silence, to furnish a list of the stu-

[1] Douay Diary, i. 160. "27 Maii, 1619, scholares omnes, qui hùcusque in scholis patrum studiis humanioribus incumbebant, domum sunt revocati, ubi reverendus dominus præses eis præceptores præfecit; quod indubiè in majorem tàm præceptorum quàm discipulorum utilitatem cedet." Ibid.—*T.*

dents to that functionary, and to enforce their submission to his spiritual guidance, even by the expulsion, if necessary, of all who should prove refractory. He was, moreover, to provide the prefect of the studies with a similar list of names, and was, once in each month, to wait on that jesuit, to consult with him on the progress of the scholars, and to take instructions from him, as to the particular points on which they required attention and information. The students, on the other hand, were equally affected by the protector's order. They were, in no instance, and by no authority, to be withdrawn from the schools of the fathers: they were to be placed, whilst there, in the absolute power of the jesuit superiors, freed alike from the control and from the protection of their own president: they were to be punished for every act of disobedience or insubordination, by confinement and privation of food, for not less than ten days, to be subjected to a course of public penance, and, if found to trespass a third time, to be expelled from their own college: finally, lest their morals should be thought to be above suspicion, it was added that they were to be particularly watched in passing and repassing from the seminary to the schools, to be prohibited from entering into private houses, to be guarded with especial care from that resort to taverns, for which some had lately been distinguished, and to be prevented generally from all violation of the canons, and from all indulgences incompatible with the clerical character. They were, however, to have free permission to join the sodality of the fathers in the jesuit college; and were to be carefully imbued with a spirit of devotion to the society, "which, by its labours and its blood, was perpetually seeking to advance the cause of religion in their country"[1]. Against this extraordinary document, Kellison and his vice-president, Champney, immediately appealed, the former in an eloquent memorial to the protector himself, the latter in a forcible

Sep. 25.

[1] See Appendix, No. XXXIV.

address to the nuncio resident at Brussels. They both submitted to the decree for the jesuit confessor; but they both expressed a hope that it would be speedily revoked, and both united in declaring that, as they had not been heard in answer to their accusers, so they neither could nor would enforce the other parts of the order, until they had referred the case to the consideration of the pope. Having then detailed the facts, as they had really occurred, they proceeded to notice the several provisions and ordinances of the protector's letter. These, they maintained, ought not to be executed. Unjust in their principle, and mischievous in their tendencies, they had been obtained by misrepresentation, and were calculated only to produce the ruin of the seminary. By compelling the students to attend the schools of the fathers, they deprived the president of the right, which he claimed under the statutes, of appointing his own teachers; they sent the scholar, in many instances, to a tutor, who, from his ignorance of the language, possessed no common medium of communication with his pupil; and, in the case of those, the more numerous portion of the lower students, who were supported from their own funds, they assumed a right, which no power could maintain, of taking them from the preceptors of their own choice, to place them, against their will, under a foreign tuition. Nor were these their only objectionable points. They degraded the president, by sending him for consultation and instruction to the prefect of the studies: they injured the clergy, by insinuating that the jesuits alone had laboured and bled for their religion. To the students they were equally unjust. They charged them with habits which they had never contracted; they imputed crimes which they had never committed. Neither the frequentation of taverns, nor the infringement of the canons, nor the conduct derogatory to the clerical character, had any real existence: while the power of punishment, conceded to the jesuit teachers, was so unwise, so odious, so likely to drive the students from the college, that, in their own seminary at St. Omer's, the

fathers themselves had refused to intrust it to members even of their own order; and had withdrawn the scholars from the public schools, on this very account. Whence, then, exclaimed Kellison, the slanders with which we are assailed? Compare the present with the past condition of the college: look to its learning, its piety, its discipline, to the distinguished youths that crowd its halls, and to the reputation which it enjoys amongst our countrymen at home; look to the comforts and the conveniences with which it is provided, and say whether, for the last twenty-five years, and more especially whilst its administration was virtually in the hands of the society, it ever flourished as it flourishes at the present moment. Are the fathers jealous of our success? Do they envy our progress in learning, and holiness, and fame?—Of such men it were unjust to nourish such suspicion:—"Judge us then, O God, and do Thou give sentence in our cause!"

These addresses were followed by two other memorials, one from Harrison alone to the nuncio at Brussels, the other from Harrison and his assistants, addressed immediately to the pope. In the first, the archpriest implored the aid of the nuncio, in behalf of the college, and assured him that, until the establishment were rescued from the hands and from the interference of the jesuits, both himself and the clergy were resolved to stand aloof, and to suspend the efforts which they were making for its pecuniary assistance[1]. In the second, the writers entered more generally into the grievances of the body. They spoke of the anomalous government of an archpriest, and of the means adopted to place the clergy in subjection to the

Nov. 8

Dec. 2.

[1] "Nisi enim jesuitæ indè penitùs submoveantur, et collegium independenter ab iisdem, etiam in spiritualibus, juxta primam suam institutionem, vivere permittatur, statutum nobis nihil ultrà eò transmittere, et quicquid hactenùs transmissum est, debitum esse, seu commodatum, ipsi clero, cum repetierit, à collegio rependendum. Idcircò plures assistentium, atque alii etiam ex nostris, qui jamjam in illud opus pecunias subministraturi erant, à rumore ultimæ constitutionis illustrissimi protectoris, sese subduxerunt, fidenter asserentes, nihil se deinceps transmissuros, donec ipsis certò constiterit, res inibi certè, et ad cleri votum, constitutas esse." Harrison to the nuncio, November 8, 1619, in the Douay Diary, i. 177.—*T.*

fathers: they declared that, of the colleges originally founded for their benefit, those of Italy and Spain had been wrested from their hands, and converted into nurseries for the society: they complained that Douay, the only seminary that remained to them, the only refuge for their brethren when driven by persecution from their country, was overlaid by the influence of the jesuits; and they concluded by praying that the members of the society might be forbidden to interfere with the clergy or their colleges, that the authority which they had assumed over both might be annulled, and that, in matters of government, they might henceforth be compelled to act towards their secular brethren, as the latter had ever acted towards *them*.

There was something in the force and earnestness of these appeals, which at once awakened the attention of the pontiff, and secured redress for the grievances of which they more immediately complained. In an angry 1620. Jan. 26. letter, written on the twenty-sixth of the following January, the protector addressed Kellison, declaring that the late order had been misinterpreted, that there was no intention to interfere with his authority on the subject of the schools, and that he was still free either to send the students for instruction to the fathers, or, if he deemed it more advisable, to provide them with professors at home. At the same time, however, to shew the feeling with which he wrote, Farnese again referred to the question of the confessor. On that point, he remarked, the pope had already enjoined silence: the subject, therefore, must not be revived: but he would add, from himself, that, although the papal mandate bound the scholars only to a monthly confession to the jesuit ordinary, the president must be careful to invite that father to the college on all the Saturdays of the year, and on the eves of all the greater festivals of the church, in order that such of the students, as should desire it, might avail themselves of his spiritual aid. Fortunately, when this letter was written, Burton, the jesuit confessor, had already withdrawn from Douay: no successor had been appointed; and

before the middle of the following year, we find a secular clergyman instituted to the office[1]. 1621. April 3.

Kellison and the archpriest were now free to pursue the duties of their respective offices, the former in advancing the studies, and perfecting the discipline, of the house, the latter in forwarding the interests of religion at home, in animating the zeal of his clergy, and preparing them for that episcopal form of government, which it was his anxious desire to procure. To this object, indeed, the attention of Harrison had been constantly directed. Convinced by experience of the de-

[1] See Appendix No. XXXV.—The retirement of Burton is thus mentioned by Kellison, in a letter addressed apparently to More, in 1620:—"Jam sex menses sunt et quod excurrit, ex quo noster confessarius jesuita nos, inconsulto illustrissimo D. nuncio qui illum hùc destinabat, deseruit, non rediturus ampliùs, prout affirmabat. Ipsâ autem die quâ mihi valedixit, proposuit mihi quendam jesuitam Anglum, patrem Gibbonum, quo, inquit, si ad collegium illum vocaveris, uti poterunt alumni pro confessario. Ego autem non censui illum invitandum, partim quia sciebam non esse confessarii, sed nuncii solùm apostolici, constituere successorem, partim quia iste pater neque tunc erat, neque nunc est, ex provinciâ jesuitarum Anglorum (ex quâ tamen delectus solebat fieri confessarii), et propterea, si illum vocassem, me subjecissem provinciali illius provinciæ, partim si illum, antequam authoritate superioris hùc mitteretur, vocassem, viderer omninò expetere confessarium jesuitam, cum tamen sæpiùs a me et ab archipresbytero supplicatum fuit pro illius amotione. Quocircà, si patres conqueruntur quòd non accerserim prædictum patrem Gibbonum, prout antea, per duos alumnos, quamvis non sine incommodo, solebam, dominationem tuam cuperem intelligere, illustrissimum quidem protectorem præcipisse mihi ut confessarium invitarem: hoc autem ego intelligebam mihi præceptum esse, postquam confessarius, legitimâ authoritate, et cum literis illustrissimi domini mei, nuncii, ad me destinatus fuit. At cum hoc nunquam factum fuerit, non existimabam me illo illustrissimi protectoris mandato astringi" (Bishop Diccon-son's copy in my possession).—From this passage, coupled with the protector's injunction mentioned in the text, there is reason to suspect that Kellison's refusal to invite father Gibbons to the college was actually made the subject of complaint at Rome, and that it was in consequence of this, that Farnese, without waiting to enquire into the facts of the case, proceeded forthwith to admonish the president on the subject. With what immediately ensued we are unacquainted. A blank, at this period of the correspondence, leaves us in ignorance of the subsequent proceedings of the several parties; nor do we hear more of the matter, until the third of April, in the ensuing year, when Richard Tayler, a clergyman of age and experience, who had been lately banished from England, was appointed to the office of general or ordinary confessor. On that day, the following entry appears in the Douay Diary,—"3°. Aprilis, 1621, dominus Ricardus Taylerus, quondam alumnus ac sacerdos hujus collegii, post multos in vineâ Domini, lucrandarum animarum gratiâ, labores, post diutinas ob fidem catholicam incarcerationes, atque post binas in exilium ejectiones, ad nos venit, et, in numerum seniorum cooptatus, officio generalis confessarii in collegio nostro fungitur" (i. 192).—I should add that, on the disputed subject of the jesuit confessor, the Diary is studiously silent.—*T.*

fective nature of his own authority, compelled to recur to Rome, on every trifling occasion, and unable to obtain an answer even to the most urgent of his addresses[1], he had repeatedly petitioned for the erection of an ordinary power, which should both supersede the necessity of these distant applications, and establish amongst the missionaries a proper and salutary subordination[2]. Of these requests no notice had hitherto been taken: but the settlement of affairs at Douay now enabled him to return to the subject with encreased energy: the negotiation for the Spanish match, perhaps also the accession of a new pontiff, Gregory the fifteenth, offered a favourable opportunity for renewing the suit; and, as More, the agent, had left Rome, for the purpose of recovering the arrears of pension due from Spain to the seminary at Douay, the archpriest resolved to commission a special envoy to the holy see, who should be charged with the double duty of soliciting the dispensation necessary for the proposed marriage, and of obtaining, if it were possible, the appointment of one or more bishops, for the government of the English church. The person selected for this office was John Bennet, a secular clergyman, one of the assistants of the archpriest, and a man already signalized by his labours, and rendered illustrious by his sufferings, for the faith[3].

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[1] "Cum ego ipse, singulis annis, bis terve ad urbem scripserim, multaque proposuerim, nec tamen adhuc responsum aliquod recepi." Harrison to Bentivoglio, the nuncio at Paris, April 7, 1618, Original draft in my possession.—*T.*

[2] In 1618, he addressed a special memorial on this subject to the protector. In it, he complained that the faculties, enjoyed by the regulars, were more ample than those granted to himself or to his clergy; that, to the injury of his authority, the religious claimed and exercised the right of conceding these extraordinary faculties to their secular brethren; that novices were sent forth upon the mission, before they had finished their year of probation; and that the superiors of the religious orders, by omitting to furnish him with the names of such of their subjects as were engaged in missionary duties, left him in ignorance on a very material point, and exposed both himself and religion to many serious inconveniences. See Appendix, No. XXXVI.—*T.*

[3] "Ea coram referenda relinquo præsentium latori, D. Joanni Bennetto, uni ex assistentibus meis, sacerdoti gravi, pio, docto, prudenti, multique meriti in hâc vineâ, in quâ viginti-quinque continuos annos animabus lucrandis gnaviter incubuit, atque etiam vincula pro fide passus est; quem propterea illustrissimæ amplitudini cupio plurimùm commendatum. Eum quidem, meo atque assistentium meorum nomine, Romam destinavi, ad sanctissimum dominum nostrum

On the very eve of his departure, however, the death of Harrison suddenly interrupted his journey, and introduced a new feature in the intended negotiation. After a delay of some months, the assistants assembled: Bennet's commission was revised and altered, to meet the exigences of the time; and, with instructions to prosecute the matter of the dispensation for the royal marriage, he received orders to acquaint the pope with the death of the archpriest; to solicit the immediate appointment of a successor, in the person of Didacus de la Fuente, a Spanish friar, who, for several years, had acted as confessor to count Gondomar, in England; and, above all, to request that the prelate, to be thus nominated to the superintendence of the English church, might be invested with that episcopal authority, which alone could satisfy the desires of the clergy, and place the interests of religion on a firm and lasting foundation[1]. It was on the twenty-first of November, 1621, that the agent, in company with William Farrar, another clergyman, after a

May 11.

Nov. 21

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de rebus quibusdam, ad rempublicam Anglicanam pertinentibus, plenè informandum, et quæ proindè ad catholicæ religionis incrementum facere videbuntur, à suâ sanctitate, omni potestatis plenitudine munitâ, pro re natâ sedulò impetranda." Harrison to Bellarmine, May, 1621, Original draft in my possession. It is endorsed thus,—"D. Harris. archip^r. card^lis. Bellarmino, an. 1621: sed moritur antequam destinarentur."—*T.*

[1] "Vixit apud nos, septem integros annos, R. P. frater Didacus de la Fuente, ordinis prædicatorum religiosus, natione Hispanus, excellentissimo domino comiti de Gondomar, catholici regis in Angliâ oratori, à sacris confessionibus; vir tùm propter longum usum et experientiam rerum nostrarum, quas, tot annos in Angliâ versatus, optimè perspectas habet, tùm propter affectum in gentem nostram, zelumque religionis catholicæ inter nos promovendæ, tùm denique propter singularem prudentiam, doctrinam, probitatem, et vitæ integritatem, summè venerandus. Hunc si ecclesiæ nostræ regimini cum episcopali authoritate præficere sanctitas vestra dignabitur, et votis nostris egregiè satisfactum, et laboranti gregi consultum sentiemus: spem namque haud dubiam concipimus, sub eo pastore, omnia huic ecclesiæ faustè feliciterque successura. Hanc æquissimam et multò necessariam supplicationem nostram prosequendam * * procuratori nostro commisimus" (The Assistants to Pope Gregory XV. Aug. 26, 1621, Bennet's copy in my possession).—"Hujus rei gratiâ" (the dispensation for the Spanish match), "et simul ut demortuo nuper reverendissimo D. Archipresbytero, superiori nostro, successor constituatur, communi consilio habito, reverendum fratrem nostrum et coassistentem, D. Joannem Bennettum, ad sedem apostolicam legamus." The same to the nuncio at Brussels, August 28, 1621, Original draft in my possession.—*T.*

long and dangerous journey, arrived in Rome[1]. Here he found the opponents of the clergy already preparing to frustrate his negotiation. The decision of the late pope, enjoining silence on the subject of bishops, was appealed to: reports injurious to the cause were studiously circulated; and a boast was confidently repeated in every quarter, that the question had been decided, and that the mission of the envoys would be fruitless. Bennet, however, was neither deceived nor discouraged by these representations. Resolving to avoid the obstructions of intermediate agents, he took an opportunity of opening his commission in person to the pope; 1622. Feb. 9. and, at his third audience, succeeded in obtaining a revocation of the sentence issued by the late pontiff, with an order referring the subject of his petition to the special consideration of the cardinals. The matter was now formally brought before the members of the inquisition, and, during a series of successive meetings, the question of the necessity or policy of re-establishing an episcopal form of government in England was anxiously debated in that assembly. To assist or to hasten their deliberations, Bennet laid before the cardinals a summary of the reasons, on which his application was grounded. He spoke of the relaxation of discipline, and of the dissentions that existed among the clergy: he pointed to those spiritual aids, which a bishop alone could ordinarily supply; and, while he reminded the congregation of the expenses already incurred, in the fruitless endeavour to obtain a canonical superior, he referred also to the disgust created by disappointment, and assured the assembled prelates that, unless an episcopal authority were now established, the bishops of France, who had already offered to interfere, would, in all probability, avail themselves of the present opportunity, and assume the government of the English church[2]: In these reasonings he was warmly

[1] They left England in September, and, on Sunday, the thirtieth of that month, arrived at Douay. Here they remained until the following Friday, when they finally set out for Rome. Douay Diary, i. 196, 197.—*T.*

[2] "I più vecchi ed i migliori operarii nella vigna del Signore, in quei regni,

supported by cardinal Bandini, the friend and advocate of the clergy. In a strong and animated appeal, that prelate insisted on the propriety of acceding at once to the prayer of the petitioners. He argued that the institution of Christ, no less than the discipline of the primitive church, gave to the English, as to every other nation, an indefeasible right to the superintendence of bishops: that, by depriving it of this right, they had not only deprived the faithful of an important sacrament, but had, in a great measure, laid the foundation of all the dissentions and scandals that had since ensued: that, under the government of a bishop, even the gunpowder plot might have been prevented; and, finally, that, as the clergy and people were now united in the demand, as the ambassadors of France and Spain concurred in supporting it, and the king of England himself was not averse to the arrangement, it were unwise to defer the execution of a measure, which the merits of the clergy, no less than the voice of heaven itself, were

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abandonano l'isola, vedendo esser più grande la confusione nel clero ed in materia di religione, che nello stato medesimo e materie profane: e, dopo tante istanze fatte indarno, disperano di mai veder rimedio.

" S'offeriscono di dar conto di più di otto milia scudi, spesi in agenti, procuratori, sollecitatori, &c., per il compimento di questo negozio, senza però nessuna conclusione o risoluzione, favorevole o contraria, ma speranze e dilazioni.

" Il clero di Francia, ed in particolare i vescovi più vicini all' Inghilterra, si sono spesso offerti, e quotidianamente si offeriscono, a metter ordine alle cose di quel clero; e la corte di Francia avrà caro che i cattolici d' Inghilterra abbiano quella dipendenza da prelati Francesi: onde fomenterà questo disegno, massime nell' assemblea prossima del suddetto clero Francese."

He adds another fact,—the intrusion of a large number of Irish and other clergymen,—which offers a curious illustration of the disorganized state of ecclesiastical jurisdiction, under the government of the archpriests:—

" Una gran multitudine di preti Hibernesi, o entrati da per se, o mandati dalli vescovi vicini di Francia, sono di gran disturbo agl' Inglesi, fra quali cagionano gran confusione, per l'incertezza della loro giurisdizione; e, col loro modo di vivere, rendono, fra quei popoli, vile il sacerdozio, tenuto finora in somma venerazione, e mettono mille scrupoli nelle coscienze, per aver giurisdizione solo dubbia, e non liquida. Il medesimo accade in molti fuggitivi e trasportati dalli chiostri, ed in preti, che o non hanno giurisdizione, o non si sà d'onde l'abbiano, non essendo superiore che sia riconosciuto, nè che possa fargli mostrare le loro facoltà e patenti." Bennet's Memorial to the Inquisition, Gradwell MS. 287.—I do not insert the remainder of this document, because it contains no fact or statement of importance, with which the reader is not otherwise acquainted.—*T.*

pressing on their attention[1]. This address was answered by cardinal Mellini, who, as the supporter of the fathers, was not unnaturally opposed to the views of the episcopal party. *He* maintained that the government of bishops was not a right, to be indiscriminately asserted by every provincial church, but a privilege, to be conferred by the power, and at the discretion, of the pope: that no spiritual advantages would attend the presence of a bishop, which might not equally be obtained by the ministration of a priest[2]: that a jurisdiction, divested of the external power to coerce its subjects, must be useless for every purpose of repressing disorders: that no reliance could be placed on the intentions or professions of the English monarch; and that if, on the one hand, the introduction of episcopal government was calculated to encrease the severities already exercised against the catholics, on the other, it would tend to strengthen the connection between the English and French clergy, to identify the interests of the two bodies, and to encourage the former, in any case of emergency or dispute, to seek the aid, and to assert the privileges, of their more independent neighbours[3]. These arguments, which had been carefully

[1] "Dandum ergo esse, sine dubio, Anglis episcopum, nec clerum illum tot viris doctis et illustribus conspicuum, tot martyribus insignem, tot laboribus pro fide exatlantis gloriosum, cum mœrore et ignominiâ dimitti, in re præsertim quam cœlum ipsum, ac divina institutio, et christianus orbis universus approbat." The reader will presently see the whole both of this argument and of Mellini's, in the Appendix.—*T.*

[2] With regard to the holy oils, he contended that they might be obtained, *without either difficulty or danger*, from abroad, and that afterwards, of course, they might, with equal safety, be distributed over the different parts of the kingdom. Hence he concluded that, for the purpose of consecrating the oils, a bishop would be unnecessary; and then, to strengthen his argument, by showing that he would also be useless, he proceeded to say that, supposing even ten such superiors to be appointed, the power of consecrating the oils ought still to be delegated to the priests, inasmuch as the difficulty of the times must always render it *unsafe to convey such things from place to place!*—"Chrisma et oleum infirmorum ex transmarinis partibus, sine ullo periculo aut difficultate, copiosè haberi: * * * tametsi decem essent in Angliâ episcopi, adhuc harum rerum consecrationem sacerdotibus demandari debere, ob locorum distantiam, ob itinerum discrimina, ne, scilicet, ab hæreticis deprehensæ, gravis periculi occasionem præbeant."—*T.*

[3] "Quod si episcopus fines suæ potestatis excedat, et eâ de causâ à sede apostolicâ corripiatur, timendum esse ne totam Galliam in auxilium advocet:

prepared, were warmly and zealously urged on the attention of the assembled cardinals. But the time had passed, when abstract reasonings or vague assertions could prevail against a sense of practical and urgent necessity. The miseries of the English church were manifest: the establishment of an episcopal jurisdiction was agreed to be the only means of rescuing her from destruction; and, after four months of deliberation and debate, a decree was at length passed, surrendering all that had hitherto been contested, and affirming the propriety of delegating a bishop, to preside over the catholics of England and Scotland[1]. June.

It still remained to procure the nomination of the individual, who was to be intrusted with this important charge; and to this object, therefore, the attention of Bennet was now unremittingly applied. For some unexplained reason, the name of La Fuente was removed from the postulation: in its place were inserted those of Bishop, Kellison, and Smith; and a strong and urgent representation, on the part of Bennet, entreated the pontiff to select from these the future superintendent of the English church. To aid the application, testi-

si episcopus in juramento fidelitatis delinquat, non posse deponi sine summo periculo ne tota fere Gallia commoveatur; si verò subditos catholicos malè vexet, si sententias injustas ferat, si excommunicationem iniquè fulminet, nullum superesse illis remedium, nullum appellationis locum, cum, præter ingentes sumptus, præter locorum distantiam, capitale sit quemquam ad papam recurrere; adeòque episcopum in Angliâ sine metu omnia pro libito et arbitratu agere posse."—When Mellini produced this concluding argument, he must have forgotten that the same mode of reasoning would equally militate against the appointment of *any* superior whatever. He had himself told us that the power of governing depended, not on the power of order, but on that of jurisdiction. But jurisdiction might be abused by any person. An archpriest might pronounce an unjust sentence, as well as a bishop: and if the difficulty and danger of an appeal to Rome were conclusive against the ordinary authority of the latter, it would be equally available against the delegated power, exercised under the same circumstances by the former. Nor is this all. Mellini's avowed object was, to uphold the system which had placed the English church under the immediate care of the pontiff ("immediatam illius r̄egni curam in se suscepisse");—surely, with the sense, here expressed, of the peril incurred by the catholics in their intercourse with Rome, it should have been an object to abandon every species of unnecessary connection with that suffering people, to place them under their own ordinary superiors, and, by establishing them in the canonical independence of a national church, to diminish the dangers to which the iniquity of the laws subjected them.—*T.*

[1] See Appendix, No. XXXVII.

monials in favour of each of the proposed parties were forwarded from all quarters to Rome. The two cardinals, Barberini and Bentivoglio, formerly nuncios at Paris and Brussels, wrote in their behalf[1]: the fathers Leander, and Rudisend Barlow, superiors of the English benedictines, added their suffrages to the general voice[2]:

[1] The present nuncio in Flanders, who was Francis de Bagni, archbishop of Patras, was requested by Farrar to send *his* testimony also, in behalf of the proposed candidates, but declined,—not on the ground of any personal objection, but from a feeling that, as the nuncio at Paris was the ordinary of England, it would be improper in him, unless desired by his superiors, to interfere in matters relating to that country. He, however, promised that, should his opinion be demanded by the authorities at Rome, he would not hesitate to speak to the merits of the parties in question.—"The nuncio, upon my entrance into the particular process of our affairs, and the nomination, &c., excused himself from intermeddling in the affairs appertaining to our nation; alleging that those matters belonged *de jure* unto the nuncio of France, as the ordinary of England. But I, answering that his place in those parts, where so many of our nation live, not permitting him to be a stranger unto our common affairs, and withal that it was like his holiness would use his judgment and counsel in this weighty affair, now in hand in Rome, beseeched him to vouchsafe me his ear, for his better satisfaction, in case his judgment should be required in the said business. Whereunto he condescending, I gave him to understand of the particular carriage of the business. * * * The nuncio seemed to rest well satisfied with this information: yet he insisted on this point that, unless his holiness, or his holiness his nephew, or some other of the cardinals in his holiness his name, did write unto him for his advice touching the persons nominated by the clergy, he could not interpose himself in the business. * * The conclusion of my negotiation with him was this, seeing he refused absolutely to intermeddle in the business, that, if it so happened that his judgment of these affairs, &c. should be demanded from Rome, then he would be pleased to relate, according to what myself, who was eye-witness of all these proceedings, had given him to understand, and withal, for the persons here nominated, when his opinion should be demanded, he would give them the testimony which their worth did deserve" (Farrar to Bennet, Sep. 24, 1622, Original in my possession).—It was probably on the ground of this refusal to volunteer an opinion, that a report was at this time fabricated by the opponents of the clergy, and afterwards repeated in a different form to Innocent the tenth, to the effect that de Bagni had been consulted by the pope on the propriety of granting a bishop to the English church, and had given his advice in favour of delay:—"L'arcivescovo di Patras, che fù poi cardinale de Bagni, nunzio in Fiandra, persuadeva che non s'innovasse cosa alcuna, sin tanto che si videsse l'esito del trattato del matrimonio, che si maneggiava fra il principe di Galles e l'infanta di Spagna, della cui risoluzione stimava dovere dipendere l'elezione de' vescovi." Address presented to Innocent X., against the confirmation of the chapter, apud Gradwell MS. 69, 70.—This paper, which is still preserved at Rome, abounds in statements, which are equally devoid of truth.—*T.*

[2] "Quòd sanctitas sua episcopum catholicum Angliæ concedere dignatus fuerit, vehementer in Domino gaudemus; quòd tales viros, ad dignitatem illam subeundam, sanctissimo domino nominaveris, certè integritati, prudentiæ, et zelo tuo congratulamur: neque enim potuere ulli à quoquam nominari nostro judicio digniores, aut aptiores, omnibus ritè perpensis, quàm doctissimi magistri nostri, D. Mattheus Kellisonus, collegii seu seminarii Duaceni præses, et D.

and, while the archbishop of Armagh, the bishop of Aire, and other dignitaries of the church, were eagerly pressing forward in the same cause, a large body of the most influential persons in Paris united in a similar way, to lay their feelings and their wishes before the pope. But the procrastinating spirit of the Roman court still kept the matter in abeyance. Though the principal question had been decided; though fifteen months had elapsed since the death of the archpriest, and religion, in the mean time, had been suffering from all the evils inseparable from a temporary and uncertain government, still it required all the energy and perseverance of Bennet to bring the business to a conclusion. Day after day, that envoy continued to press the affair on the attention of the authorities. He had previously followed the pope from Rome to Frescati, and from Frescati back to Rome. He now sought him in his own palace: he urged him to take pity on the souls which this delay was hurrying to perdition; and, after a long and earnest remonstrance, he at length succeeded in obtaining an assurance that October.

Richardus Smitheus, Parisiensis cœtûs vestri, in collegio Atrebatensi, primarius."—The writers, who are the fathers Rudisend and Leander, then proceed to pass a warm eulogium on the learning, the piety, and the zeal of these clergymen: they declare that they speak from their own knowledge, when they pronounce them to be free from all undue affection either to parties or to persons; and they conclude by requesting their correspondent to receive this testimony as the expression of their real feelings, and to use it wherever it may be most serviceable (to Bennet, Sep. 20, 1622, Original in my possession). The reader will not, however, fail to remark that, in all this, there occurs no allusion to Dr. Bishop. His name, indeed, seems to have been purposely omitted; and the reason of this omission is thus stated by Farrar, in the letter which conveyed the above testimony to Rome,—"Herewith you shall also receive a letter from father Rudisend, in the behalf of Mr. President and Dr. Smith, but no word of Dr. Bishop: for he says, he will have nothing to do with him; he is too boisterous. He read it me, before it was sealed. I thought it no time to contest with him about Dr. Bishop, but took what he offered; knowing that, howsoever it was, it might be useful unto you. Since, I understood that their reason of excepting against Dr. Bishop was like to be this, that their vicarius at Paris, since the beginning of the negotiation, telling Dr. Bishop that they hoped this suit of bishops would not be with any prejudice to the privileges of their body, Dr. Bishop should make answer that, for their privileges, they would talk with them hereafter:—which answer went so sore to their hearts, that they could never since have any liking to Dr. Bishop." To Bennet, Sep. 24, 1622. Original in my possession. The whole letter will be found in the "Illustrations of Dodd's Church History."—*T.*

his petition should be granted, and that an appointment, agreeable to the desires and feelings of the clergy, should be made without delay[1].

It was at this moment that intelligence, calculated to alarm the pontiff, and to deter him from the completion of his design, was said to have arrived from England. Foiled in their opposition at Rome, the adversaries of the measure had resolved, as a last resource, to appeal to the fears of the English monarch; and through the agency of Toby Matthews, perhaps also of Gage, who had been employed in the business of the dispensation[2], had contrived to terrify James with a false and exaggerated account of the jurisdiction about to be established in his dominions. It was said that a large number of bishops and archbishops was immediately to be appointed; that they were to bear the titles of the ancient sees of Canterbury, York, London, &c.; and that, thus invested with the distinctive appellations, they would soon encroach on the more substantial prerogatives, of the national prelacy. James, though he saw the motive of the informer[3], was not disposed to acquiesce in the

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[1] See Appendix, No. XXXVIII.

[2] Gage, who was strongly attached to the fathers, and had just returned from Rome, was commonly suspected to have been concerned in this proceeding. "It is suspected that Gage hath set the king on this mind, who, when he passed by us, said to us plainly that, if men could be assured that bishops would not encrease our animosity against the jesuits, he could assure us that we should have them; but told us not wherein this animosity consisted" (Smith to Bennet, October 20, 1622. Original in my possession).—"I do vehemently suspect Mr. Gage to have suggested to the lord keeper, or king himself, those calumnies of our pretensions to the archbishoprics of Canterbury and York."—"If Mr. Gage did this pretty piece of service, as it seemeth he did, for that it was done about his first arrival to the court, and not before, he deserves to be greatly blamed" (Bishop to Bennet, Octob. 30, and Nov. 18, 1622. Originals in my possession).—It is certain, however, that, whatever share Gage may have had in the transaction, the first direct agent in the business was Toby Matthews. From a letter addressed by Bacon to the marquess of Buckingham, we learn that Matthews had just been with the writer, that he had revealed to him the alleged project of the Roman court, and that, resolving to lay it before some member of the council, he had sought to know whether he should select Buckingham or the lord keeper as the depositary of his intelligence. Bacon advised him to speak to Buckingham; and the latter, of course, communicated the information to the king. Bacon's Works, vi. 372.—*T.*

[3] "I am afraid that Toby will prove but an apocryphal, and no canonical, intelligencer; acquainting the state with this project, for the jesuits', rather than for Jesus', sake." The lord keeper to Buckingham, in Cabala, 292.—*T.*

threatened arrangement. Sending to Colonna, the Spanish resident, he acquainted him, through the chancellor, with what he had heard, denounced the proposed measure as an infringement of his prerogative, and solemnly declared that, under such circumstances, a catholic bishop should never be admitted into the country. The ambassador, who was ignorant of the real nature of the proceedings at Rome, naturally excused himself to his visitor: but the excitement of the king was described to him in the most forcible terms; and, to avert its consequences, he wrote immediately to the duke of Albuquerque, the accredited minister from the Spanish court to that of Gregory, describing the royal feelings, and enquiring as to the designs of the pontiff, in regard to the English church[1]. In a few days after the arrival of this letter, a memorial from the opposition party was laid before the pope. Covering the deception already practised on the king, by an additional misrepresentation as to the grounds of his present resolution, it stated, in apparent simplicity, that James had heard of the intended appointment of a bishop to preside over the catholics in England: that he regarded the proceeding as an indication of the extravagant and hostile spirit, by which that body was actuated; and that he had solemnly pledged his royal word, should the measure be carried into execution, not only to pursue the bishop himself unto the death, but also to revive every former severity, to which the religion and its professors were obnoxious. Gregory, startled at the

August.

Sep. 2.

[1] It was thought by some that Colonna's object was not only to make this enquiry, for the satisfaction of the king, but also to interrupt the negotiation, and prevent the appointment of a bishop, by representing the feelings of James as irrevocably opposed to that measure. To remove this impression, however, he wrote a second letter to Albuquerque, declaring that he had no such intention, and expressing a hope that "the holy work" might still proceed:—"Protestando que mi entention no fue, en manera alguna, impedir una obra tan santa; sino contar lisamente lo que me passo con el dicho guardasello, que es tambien pretenso obispo de Linconia. En lo demas, V. Exª., con su gran prudençia, accordandose de lo que sobre esto escribio tantas vezes, y con tanto acuerdo, el conde de Gondomar, como tan enterado en esta materia, procurara encaminar lo que pareciere mas conveniente al sustento y propagaçion desta christiandad, que Dios augmente." Colonna to Albuquerque, Nov. 17, 1622. Bennet's copy in my possession.—*T.*

intelligence, felt that it would be unsafe to proceed at
October. the present moment. He, however, ordered enquiry to be made, as to the truth of the representations which he had received. Bennet wrote from Rome, describing the real nature of the proposed arrangement, and desiring his letter to be laid before Williams, the lord keeper, for the information of the king. Heynes
Nov. 25. (the nephew of Bennet, and one of the assistants) saw that prelate: he was followed by Carondelet, archdeacon of Cambray, who was attached to the Spanish legation, and who, in a lengthened interview, explained and discussed the whole matter with the chancellor; and, to the dismay of those, who had calculated on the hostility of James[1], an assurance was at
Dec. length obtained from the minister, stating that the monarch had spoken from misinformation; that the expression of his displeasure was levelled at the bishops, who, he had been told, were about to assume the titles and jurisdiction of the ancient sees; but that, if a prelate, without pretensions of this kind, and intent only on the discharge of his spiritual duties, were privately commissioned by the pope, no objection would be raised, and no notice taken of the appointment. All difficulty was now at an end. A few days after the
1623. March. arrival of this intelligence in Rome, a congregation of cardinals was held: the decrees already passed for the establishment of an episcopal government were confirmed; and Dr. William Bishop was officially

[1] So confident was the party as to the success of their device, that, some time during the month of September, cardinal Mellini actually wrote to the Spanish ambassador in England, requesting him to nominate a person for the office of archpriest. "When I was, the last night, with the ambassador", says Heynes, writing to his uncle Bennet in Rome, "he told me that some had reported that the pope had already granted a bishop: but he assureth me that there is no such matter; for, very lately, the cardinal Mellini did write unto him, for to nominate some one, whom he thought most fit, to be our archpriest:—but he made answer that the clergy of our country had already sent unto his holiness, to acquaint him with our desires, and gave good words of you" (October 12, 1622. Original in my possession. He writes under the assumed name of Hervey). Both the ambassador, however, and Carondelet, but more especially the latter, as the reader will presently see in the appendix, were afterwards pursued by the bitter enmity of the opposition party, for their share in this transaction.—*T.*

announced as the future superior of the English church[1].

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[1] See Appendix, No. XXXIX.—He was consecrated to the see of Chalcedon, *in partibus infidelium*, and commissioned to exercise the authority of ordinary in the two kingdoms of England and Scotland. In the following year, however, he petitioned to be relieved from the charge of the Scottish church: his request was accompanied by a similar prayer from the Scots themselves; and a spirited memorial from Chambers, the Scottish agent, declared that, as his countrymen never had submitted, so they never would submit, to the jurisdiction of an English prelate. It does not appear that any attention was paid to these representations. Before they could reach the pope, Bishop was dead: but his successor was appointed in the same form, and with the same jurisdiction; and, for more than twenty years, continued to style himself Ordinary of England and Scotland.—The following from one of Bishop's letters, written in November, 1623, and addressed to his agent, Rant, will be read with interest: —"I have been in some shires over to visit and to give the sacrament of confirmation, where I was very welcome, even to the hosts where the fathers of the company rested. In a word, from the greatest of the catholic nobles unto the meanest of the laity, there was common and great joy, for that dignity bestowed on us by his holiness. And whereas some did mutter out that it would be cause of contention among catholics, and much trouble from the state, it proves, God be thanked, much contrary; for it pleaseth his majesty to wink at it, and all orders of religious have sent me congratulation by their superiors, either coming to me in presence, as the provincials of the benedictines and of the society did, and some others by letters very submissively written: so that, our Saviour be praised, all goes very fairly on. And four Spanish extraordinary ambassadors, and the ordinary of France, do applaud our peaceable and orderly proceeding, and do much like that I have given no occasion of speech of me in the court. To speak the truth, I do much fear that I shall not be able to give satisfaction to all the shires in England, nor be able to visit them in three or four years. Wherefore, I do heartily desire that one more bishop, at the least, might be chosen for the north country; and the fittest man, in my slender judgment, will be Mr. Dr. Champney, who is a most honest, virtuous man, of great zeal, learning, and discretion, and not too old, as I take some to be, who were otherwise to be preferred. He is also that country man. Upon him also I desire that the charge of Scotland may be laid, unless his holiness think fitter, as I and many other do, to give to the Scots a bishop of their own nation; for they will not willingly be under any other, and none of ours doth desire to be troubled with that charge, which will not be well taken of the nation. This point I do not desire that you do yet urge, but to insinuate only, till I send you full commission from the best of our clergy to deal in it. Wherefore, though you plainly declare that I do humbly desire it, for the good of our country, yet, because more voices may be required to it, do not express Mr. Dr. Champney by name, that there be no collections made against him. If his holiness please to rely on my credit and yours, with father Bertin's, cardinal Ubaldini, cardinal Bentivoglio, and such others as may be there gotten, then it would be a fit season to send him, as soon as the infanta shall be come in: for this sending in one, a good while after another, is most likely to pass without offending our state." November 25, 1623. Original in my possession.—See Appendix, No. XL.

Before I quit the subject of Dr. Bishop's appointment, I ought, perhaps, to subjoin the narrative and the remarks, which Dodd has somewhat inconveniently mixed up with the account of Dr. Smith, in the following reign. If it adds little to the information contained in the foregoing pages, it will at least serve to maintain the integrity of the historian's work, at the same time that it will

Before I close this article, it is necessary to advert to the state of the English seminary at Rome, and to some

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occupy a more appropriate position than that in which it was originally placed. The following is the passage:—"The catholic clergy of England, having for many years attempted in vain to be put under episcopal government, were unwilling to let slip the fair opportunity, they had now before them (*he alludes to the proposal for the Spanish match*), of bringing that matter to bear. The prospect of having a catholic queen sit upon the English throne, with some other reasons alleged by the clergy, prevailed upon the pope to grant that favour, they had so long been in expectation of: and, accordingly, a bishop was appointed to supervise the English mission. And, if we may give credit to one of our protestant historians, there was a proposal made at Rome, that the number of bishops to be consecrated should be equal to the episcopal sees in England, and that they should bear the same titles; a method observed in Ireland, ever since the defection of the British dominions from the see of Rome. How this project came to be laid aside, is a piece of secret history, published by Dr. Heylin, in his Advertisements on Mr. Sanderson's life of king Charles the first, which I think proper to insert in the author's own words, as follows:—'Our author '(*Sanderson*) makes a query, why the bishop, appointed by the pope to govern ' his party here in England, should rather take his title from Chalcedon, in Asia, ' than from any one of the episcopal sees in this kingdom, as well as they do in ' that of Ireland. In answer whereunto though he gives us a very satisfactory ' reason, yet I shall add something thereunto, which, perhaps, may not be un- ' worthy of the reader's knowledge. And him I would have to know that, at ' such time as prince Charles was in Spain, and the dispensation passed in ' the court of Rome, it was concluded in the conclave that some bishops should ' be sent into England, by the names of the bishops of Salisbury, Gloucester, ' Chester, Durham, *et sic de cæteris;* the better to manage and encrease their ' improving hopes. Intelligence whereof being given to the jesuits here in Eng- ' land, who feared nothing more than such a thing, one of them, who formerly ' had free access to the lord keeper Williams, acquaints him with this mighty ' secret; assuring him that he did it for no other reason, but because he knew ' what a great exasperation it would give the king, and, consequently, how much ' it must incense him against the catholics. With this intelligence away goes ' the lord keeper to the king, who took fire thereat, as well he might, and, though ' it was somewhat late at night, commanded him to go to the Spanish ambas- ' sador, and to require him to send unto the king his master, to take some course ' that those proceedings might be stopt in the court of Rome, or otherwise that ' the treaty of the match should advance no further. The lord keeper finds the ' ambassador ready to send away his packets; who, upon hearing the news, ' commanded his courier to stay, till he had represented the whole business in ' a letter to the king his master: on the receiving of which letter, the king im- ' parts the whole business to the pope's nuncio in his court, who presently sends ' his despatches to the pope, acquainting him with the great inconveniences and ' unavoidable dangers of this new design: which being stopt by this advice, and ' the treaty of a match ending in a rupture not long after, the same jesuit came ' again to the lord keeper's lodgings, and, in a fair and facetious manner, ' thanked him most humbly for the good office he had done for that society; for ' breaking and bearing off which blow, all the friends they had in Rome could ' find no buckler. Which story as I have heard it from his lordship's own mouth, ' with no small contentment, so seemed he to be very well pleased with the ' handsomeness of the trick that was put upon him' (Heylin's Advertisements on Sanderson's Life of Charles I. p. 97).

"When a grave author, who has arrived at some reputation in the world, entertains his readers with secret histories, he runs a hazard of losing part of that

transactions immediately connected with it, at the present period. The arrangement which, as the reader will recollect, had, in 1579, transferred the government of the establishment to the hands of the jesuits, had always been regarded with feelings of jealousy and dissatisfaction by the secular clergy. They considered it, in fact, as a reflection on the clerical body, as an undue elevation of a rival order at their expense, and as a step which would ultimately tend to convert both the institution and its funds into a fruitful source of aggrandizement to the society. For some years, indeed, and particularly during the administration of Agazzari and Vitelleschi, there was little to aggravate these feelings. But, by degrees, irregularities crept in: the disturbance of 1596 followed; and though the address of Persons, and the good sense of the two immediate successors of Fioravante, partially redeemed the errors of that rector, yet they were not sufficient either to obliterate the memory of what had passed, or to eradicate the deeper and more inveterate evils of the system. It was not, however, until after the death of Persons, in 1610, that these evils became visible in all their magnitude. Persons was succeeded in the rectorship by father Owen, a man of considerable experience, but of strong predilec-

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respect, which is due to his character. I do not pretend to mention Dr. Heylin for an instance; especially, since what he relates was told him by a person concerned: but then, there are some allowances to be made, as to circumstances, which, depending very much on the dexterity of the reporter, make a considerable alteration as to the truth of a fact. Now, what I have to say, as to the present matter, is this:—Those, that have any knowledge of the methods of the see of Rome, are not ignorant that such an establishment of bishops for all the sees in England would have been directly contrary to their way of proceeding, upon the like occasion; and that Ireland is not a parallel case. The majority of the people there were always catholics; and there was never any discontinuance in the episcopal succession. Perhaps some in the conclave might mention such a scheme for England; but this does not prove there was any design to follow it. A report of this scheme might be sent over to England; and the jesuit, the doctor speaks of, thinking it to be prejudicial to the cause of catholics in England, might make use of what interest he had with the lord keeper, to put a stop to it: but, as for his facetious manner of returning thanks, and such like circumstances, they may be embellishments to the story. What I mostly admire is, that, amongst all the letters and papers I have perused (and I have perused a great many) relating to this matter, none of them give the least hint of the design mentioned by Dr. Heylin."—*T.*

tions, of lofty notions, and of an ardent attachment to the various interests of his order. Under his management, the funds of the college, hitherto unburthened, speedily became inadequate to the ordinary expenses of the establishment: charges of numerous descriptions were created for the sole benefit of the fathers[1]; and,

[1] "Sæpissimè in collegio resident patres societatis externi, per aliquot menses, qui tamen ad collegium non pertinent. * * Est etiam in collegio procurator missionis jesuitarum, qui an aliquid solvat, non constat: equum tamen in collegii stabulo alit, cellas etiam in collegii vineâ sibi accipit, ad reponenda vina. * * Pater Odoenus solebat operarios, in vineis patrum laborantes, ex collegii sumptibus, prandiis et cœnis frequentissimè donare" (Summarium de corruptâ collegii Anglicani de urbe Administratione, 1623, p. 1. Original MS. formerly belonging to the college, and now in my possession).

In 1611, Owen purchased and stocked a large farm on the Monte Porzio, near Rome, from which he was enabled to supply the markets of the city with cattle, corn, wine, and fruit, to a considerable extent. The whole property was vested in the fathers of the English mission, of which Owen was the prefect: but, to avoid the duties payable to government, this was partially concealed; the stock, when brought to market, was represented to belong to the seminary; and the horses and servants, employed in its conveyance and sale, were lodged in the college, and entertained at its sole expense. The following extract from a memorial, presented to Owen by father Albone, the procurator of the house, complaining of the burthen thus entailed upon the establishment, will give some notion of the extent to which the abuse was carried:—

"Poi che V. R. vuol sapere da me quello ch'importa la spesa fatta nel collegio, per conto della carne, a rispetto di quello si faceva prima, oltre la gabella che s'ha da detrahere, mi pare il collegio vi rimette, per il meno, quattordici ò quindici scudi, il mese, per le cose infrascritte.

"Per che venendo quelli da Monte Porzio, almena duoi, con loro cavalli, et restando dal Mercordi mattina, ò Martedi sera, sino alla Domenica mattina, importa, per ciascheduno cavallo, quindici bajocchi tra il dì e notte di fieno, senza biada.

"Per il mangiare di dette due persone, almena duoi giulii per giorno per ciascheduno; che viene ad essere settanta bajocchi il giorno, senza la biada che fa dodici scudi sessanta bajocchi, il mese.

"Oltre le sudette cose, vi sono anco duoi dì della settimana e due notte, quando una, quando due cavalle, con li pecorari, che non possono spendere manco di quaranta bajocchi per il giorno e notte, che fanno giulii otto per duoi dì e due notte; che, in capo del mese, importa altri scudi tre, bajocchi venti, il mese: che, con gli dodici scudi sessanta bajocchi, fanno scudi quindici bajocchi ottanta, per il meno; e cio senza la biada, e semola, e dormire, e vino, e pane, che portano via quando vengono, e senza il bevere, e mangiare, si da ad altri tutti compagni quando vengono, e lo scomodo di casa et di servitù" (MS. in my possession).—This account, the reader will observe, refers only to the single article of cattle, and does not include either the corn consumed by the horses, or the numerous articles mentioned in the concluding sentence. Of the latter probably no exact calculation could be made: but, putting the additional charge of the horses and some other expenses at six crowns a month, the commentator on the above paper says,—"Manifestum fit, in solo vitellorum ac pecudum commercio transigendo, omissâ molestiâ quâ afficiebatur collegium, præter illa quæ à rusticis è collegio recedentibus auferebantur, et aliis suis sociis dabantur, patres societatis viginti quinque aureos, singulis mensibus, in suum usum col-

though legacies had been obtained, and the number of scholars had been reduced by more than one third, yet, in the course of a few years, it was found that a debt of no less than nine thousand crowns of gold was pressing upon the resources of the house[1]. In the mean time, other abuses were not wanting, to alarm the minds of the clergy, and to alienate at least a portion of the students from the government of the society. Intent on the advancement of their own body, it became the constant endeavour of the superiors to secure it among the scholars intrusted to their care. With this view, the more promising members of the establishment were invariably selected as the objects of their attention. Every art was employed to win the affections of these parties;

legio surripuisse. Quare expensa in maximam summam excrevisse necesse est; cum non tantùm vitellorum et pecudum, sed grani etiam, fructuum, casei, et aliorum ex diversis locis, cum pari collegii dispendio, in urbe venditiones fierent, et jumenta, et rustici hùc deferentes, collegii sumptibus, eo tempore quo Romæ permanebant, alerentur" (Informatio de Abusibus qui in regimen Collegii Anglorum de urbe irrepserunt. Original MS. in my possession). Perhaps I ought to add, in explanation of that passage in the memorial which speaks of seventy bajocchi a day, for four days a week, as amounting to twelve scudi and sixty bajocchi a month, that it is evidently an average computation, formed upon the calendar, not upon the lunar, month. The bajocco is the hundredth part of the scudo, or crown. Seventy bajocchi a day, for four days a week, would amount, at sixteen days in the month, to 1120 bajocchi, or, in other words, to eleven scudi and twenty bajocchi. This would be for the lunar month: but in the calendar month, as the days were fixed, there would sometimes be seventeen, eighteen, and even nineteen: occasionally also, as Albone tells us, the Tuesday night was to be added; and hence, it would seem, he has calculated the whole at eighteen days in the month, which give exactly the sum of 1260 bajocchi, mentioned in the memorial.—*T.*

[1] "Anno 1592, et aliis annis, pater Mutius Vitelleschi, collegii Anglicani rector, septuaginta ferè alumnos honestissimè alebat; cum tamen, hisce posterioribus annis, rarò quadraginta alumnos collegii ejusdem rectores alant. Nihilominùs debita nunc contracta novem aureorum millia numerantur, quæ etiam indies augentur. Adverterunt tàm exteri quàm domestici, cœpisse collegii pecunias deficere, et debita contracta esse, postquàm pater Odoenus, collegii rector, ædificaverat domos, et vineas emerat apud Montem Portium, prope Romam, pro patribus societatis missionis Anglicanæ, et post conductos vel coemptos per eundem boves, vaccas, mulos, equos, asinos, capras, oves, &c.: anno enim 1610, quo obiit pater Personius, hæc debita collegium non habebat, ut patet ex collegii libris" (Summarium, ut Sup. p. 1).—"Unum postremò notandum est, hoc ipso tempore quo debita aucta sunt, eleemosynas collegio nostro satis amplas collatas esse, tùm à nobili quodam Anglo, Patavii mortuo, tùm a domino Odoeno, Romæ defuncto; unde necesse est vel magnam fuisse debitorum summam quæ nihil ex eleemosynas reparata sunt, vel eleemosynas aliter quàm oportuit fuisse applicatas". Narratio de corruptâ Collegii Anglicani de Urbe Administratione, 1623, cap i. p. 6. Original MS. formerly belonging to the college, and now in my possession.—*T.*

every means was adopted to depress the clergy, and to exalt the jesuits, in their estimation. Prayers and spiritual exercises were then brought into action: doubts and scruples on the subject of vocation were suggested; and an invitation was at length given to them, to abandon the present object of their pursuit, and to inscribe their names in the lists of the society[1]. If they withstood these solicitations, neglect and persecution followed them through the remainder of their course: if they yielded to the wishes, and engaged to join the ranks, of the fathers, distinctions and privileges were sure to mark their career; impunity for almost every transgression was ensured to them, and facilities in the prosecution of their studies were accorded, from which their less compliant brethren were carefully debarred[2].

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[1] "Huc igitur missi, juvenes annum integrum in novitiatu (ut dicunt) agunt, id est privatim, extra omnium aliorum alumnorum consortium, exceptis duobus præfectis suis, qui et patrum societatis fautores maximi, et ipsi quasi semper societati Jesu nomina daturi, existunt. * * * Hac ratione anno transacto, et novitiorum animis, per commessationes et blanditias, per scrupulos et animi anxietates, per societatis laudes aliorumque religiosorum et sæcularium sacerdotum vituperia, ad vocationem capessendam dispositis, integrâ septimanâ in spiritualibus exercitiis detinentur, quæ cum optima et piissima sint, eâ tamen ratione dantur, ut ad societatis ingressum plurimos inducant: * * nam electio novi statûs vitæ proponitur; imò adeò hanc novam deliberationem urgent, ut meditationes quasdam et orationes propositas nemo sincerè peragere possit, nisi religiosum statum amplexurus". Narratio, ut sup. cap. 13, pp. 91, 92.—*T.*

[2] "Patrum societatis coadjutores, qui famulorum officia obeunt, permittuntur clericis insultare" (Ibid. 46). "Illud quod maximè clericos dejicit, est dedecus summum quo in collegio hoc afficiuntur clerici" (*by* '*clerici*' *are meant those who had refused to abandon the clergy for the society*): "illos enim, levissimis de causis, non solùm verbis et factis deprimunt, uti jam dictum est, sed ita etiam contemptos reddunt, ut ab ipsorum consortio omnes in collegio abhorreant" (Ibid. 53). "Si quis sacerdotem sæcularem futurum se significasset, indignis postea modis exagitandus fuisset" (Ibid. 95).

"Illi qui, à patribus allecti, spoponderunt se societatem ingressuros, aut videntur aliquando ad id præstandum posse induci, liberam, supra cæteros, quidvis agendi licentiam habent: si quid deliquerint, vel condonatur, vel levissimè puniuntur. * * Omni denique favorum genere animantur, ut vel persistant in proposito ingrediendi societatem, vel, si adhùc vacillent, alliciantur et confirmentur: cum è contrario sit videre, eos, qui reverà alumni pontificii sunt, ita à patribus tractari, ut servis quàm liberis videantur propinquiores" (Ibid. 24, 25). "Quod ad studia attinet, * * præfectus studiorum et repetitores particulares iis, hac in re, favores ostendunt. * * Clerici, ad dandum aliis locum, semper ferè à thesibus publicis defendendis prohibentur" (Ibid. 32, 33).

The following extract from the Douay Diary will shew that, in some instances, expulsion from the college was the consequence of an opposition to the wishes of the fathers on this subject:—"15 Decembris, 1622, Româ ad nos

It will easily be imagined that, under such circumstances, few would be found to resist the temptations by which they were surrounded. Of forty-seven persons who left the college, during the seven years immediately preceding 1623, fourteen only, of the most incompetent, were added to the body of the clergy: the remaining thirty-three, after obtaining the whole, or the greater part, of their education at the expense of the establishment, passed at once to the novitiate of the fathers[1].

It was at the moment when the uneasiness occasioned by these proceedings was at its height, that Bennet arrived in Rome. To the scholars, who were suffering from the partiality or the resentment of the fathers, the presence of the agent seemed to offer a favourable opportunity for obtaining redress. With this view, therefore, they waited on him with their complaints, and, having explained to him the situation of the college, consulted him as to the course which he deemed it advisable for them to pursue. It is not improbable that Bennet himself undertook to lay their representa-

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accessit Joannes Houghtonus, hìc dictus Graftonus, literis Domini Joannis Bennetti, agentis cleri Anglicani in urbe, commendatus. Erat hic è collegio Romano dimissus à patribus societatis Jesu, nullâ aliâ de causâ, quàm quòd, clero addictus, coalumnos suos hortaretur ad statum ecclesiasticum, juxta collegii institutum, potiùs capessendum, quàm religiosum aliquem ordinem amplectendum: qui sermones cum patribus societatis vehementer displicerent, utpote timentes ne, hac ratione, complures ex alumnis à societate cogitandâ abducerentur, eum dimittendum censuerunt, dato tamen eidem testimonio, de bonis moribus, pietate, &c." (i. 214).—The testimonial, however, here alluded to, was not given in the first instance, nor until Bennet had brought the matter under the notice of the inquisition. Original draft of his memorial, in my possession.—*T.*

[1] From a memorial, presented by the agent, Rant, to the protector, in 1625,—Rant's own copy in my possession. I have five other lists, all agreeing, in almost every particular, with this; and all giving the most melancholy account of the qualifications, corporeal and mental, of most of the fourteen who became members of the clerical body. Three were incapacitated for labour by want of health; one was epileptic; one had been rejected by the fathers, on account of an impediment in his speech; three others, besides one of the preceding, were utterly disqualified for learning; and two, whose abilities were of a better order, were not intended for the English mission, but were beneficed in France and Belgium. Thus there remained but four in seven years, whose services were really available for the purposes of their original destination. See also the letter of Harrison and the assistants, Dec. 2, 1619, in the Appendix to the present volume, p. ccxxii.—*T.*

tions before the pope. At all events, the attention of Gregory was summoned to the matter: a decree for the visitation of the college was passed; and, before the agent quitted Rome, a commission was drawn up and signed, authorising the prelate Sanctorius to proceed to the seminary, and to enquire into the state of its administration. The news of this event appears to
1623. May 15. have alarmed the superiors. Sending to the protector, Farnese, their first object was, to avert the approaching investigation[1]. When this failed, another scheme was adopted. A paper, extolling the government of the fathers, and asserting the groundlessness
June 14. of all complaints, raised, or likely to be raised, against it, was prepared and presented to each student for his signature. As might have been expected, the majority, some from fear, others from affection, at once subscribed the document, and were thus effectually precluded from exposing the abuses of the house. Fifteen of the students, however, out of a total of forty-three, had the courage to refuse their names. These were immediately separated from their companions; a mark of degradation was placed on them; and a resolution was forthwith adopted to destroy their evidence against the superiors, by charging them with sedition before the visitor[2].

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[1] "Postridiè quàm à villâ Tusculanâ (*the general's residence*) reversi sunt, id est 15°. die Maii, summo mane, pater Hallus, collegii minister, unà cum Joanne Collineo, coadjutore, citatis equis mittitur Placentiam, ubi tunc temporis illustrissimus cardinalis Farnesius, collegii protector, morabatur, cum quo multa ad impediendam visitationem, ut postea audiverunt aliqui a patre Collineo, acta sunt." Narratio causæ Alumnorum &c. p. 2. Original MS. formerly belonging to the college, and now in my possession.—*T.*

[2] "Fuit facta divisio recreationum, quæ talis fuit, ut illi, qui non subscripserunt, detrusi essent in pessima cubicula, et recreationem pessimam" (Dingley's Narrative, original in my possession).—"Eorum informationibus, tanquam seditiosorum dictis, præjudicium afferre conantur, ut quos sibi accusatores metuebant. * * Eos qui non subscripserunt ita exagitant atque affligunt, in corpore, in famâ, et conscientiâ, ut reverà qui non interfuit vix credere possit" (Narratio Causæ, ut sup. 8, 13).—Even of the signatures which were obtained, several were extorted "blanditiis, minis, convitiis etiam maximis" (Ibid. 9).—I will subjoin a copy of the paper, as it was ultimately signed by twenty-eight of the scholars, and presented to Sanctorius. It had, however, undergone an important alteration. In its original state, it made the subscribers express their approbation of the government of the fathers, for twenty years, and in each of

It was on the twenty-third of June, that Sanctorius, after some delay, at length opened his commission. (June 23.) As usual, on similar occasions, his attention, in the first instance, was directed to the condition of the house and of its finances. But his progress in the business was slow: a few hours, devoted to it at weekly intervals, were all that he could afford; and, before he had advanced beyond the first point of his enquiry, the death of the pope suddenly terminated the proceedings[1]. (July 8.)

On the accession of Urban the eighth, in the following month, the order for the visitation was renewed. In the commission, however, an important alteration was effected. At the request of the fathers, Sanctorius, the former visitor, was superseded, and Cæsius, an ardent friend to the society, was deputed to act in his place[2]. On the ninth of September, that prelate arrived at the college. (Sep. 9.) Impressed with an idea that the

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the two colleges of Rome and St. Omer. Subsequently, it was recollected that, of the students, few had been at St. Omer's at all, and scarcely any could speak of Rome for so long a period: the passage, therefore, was expunged (Ibid. 13, 49):—

"Quandoquidem ex sociis et collegis nostris non defuerunt qui publicam, proximis hisce diebus, collegii turbarunt pacem, quâ multis jam retrò annis placidissimâ, non minore cum fructu studiorum, quàm animorum voluptate, usi sumus, Nos infrascripti ejusdem collegii alumni, ne malum tantum latiùs in existimationis collegii non leve detrimentum serperet, paucorum temeritati duximus occurrendum, et communi domûs nostræ tùm quieti, tùm etiam famæ, consulendum. Quapropter, testatum omnibus hisce fieri volumus, quicquid ab iis vel contra ejusdem collegii moderatores, patres societatis Jesu, tentatum, vel in illorum laudabili valdè administratione reprehensum est, totum id, temerè ac sine ullâ prorsùs ratione factum, nullo modo approbari à nobis posse, qui in illorum paternâ admodùm solicitudine, et prudentiâ singulari, nihil hactenùs unquam potuimus desiderare: id quod fusiùs, si res exegerit, exponere parati sumus" (Ibid. 11, 12).

I should add, that the parties alluded to, at the commencement of this document, were three of the students, who, with the permission of the rector, had sought an audience of the pope, for the purpose of requesting that the visitation might not be delayed. Stapleton's Narrative, p. 2, Original in my possession.—*T.*

[1] "Visitatio domini Sanctorii, quæ à collegii redditibus et expensis 23°. Junii incœperat, inopinato Gregorii XV. interitu desiit, priusquàm alumni collegii statum aperire potuissent." Narratio Causæ, ut sup. 13. See Appendix, No. XLI.—*T.*

[2] "Loco D. Sanctorii, D. Cæsius, notissimus superiorum amicus, quem ipsi cardinali protectori proposuerunt, substitutus est" (Ibid. 36).—It does not appear that any official account of this visitation ever existed: "non enim juridicè, aut cum notariis procedebatur." Ibid. 41. See also Fitzherbert's declaration to Rant, p. 107, note, post.—*T.*

house was in a state of partial rebellion, his object was, to defend the conduct of the superiors, to stifle the appearance of opposition, and to punish the temerity of those, who should venture to remonstrate or complain. With this view, he began by consulting the rector, Fitzherbert, on the course which it would be advisable to pursue[1]. The students were then summoned: his resolution to repress the tumults and disorders of the establishment was declared; and each individual was invited to make a statement, either verbally or in writing, of whatever facts he might wish to disclose. From those who had signed the testimonial in behalf of the fathers, and who had been previously instructed in the answers which they were to return to the visitor[2], but little was to be apprehended. With *them*, consequently, the process of enquiry and examination was short. Their evidence was at once accepted: their replies were encouraged and recorded in favour of the superiors; and a conclusive answer was thus supposed to be provided against the charges of their recusant companions. When the latter approached the visitor, a different method was adopted. Identifying himself with the friends whom he was anxious to support, Cæsius at once assumed the character of an advocate, and to every complaint urged against the government of the house, replied by a justification of the fathers, and a rebuke to the disaffection of their accusers[3]. Nor was he scrupulous in the mode, by which he sought to establish his decisions. The superiors, he maintained, had a right to demand, the students had no right to refuse, their names to the testimonial which had been presented for their signatures. The truth of the whole, or of a part, of its statements, was not a question for their consideration. Their subscriptions pledged them, not to all that it contained,

[1] "Per longum et secretum cum rectore habitum colloquium." Ibid. 37.—*T.*

[2] "Instruebantur alumni à superioribus et præfectis quid dicerent; * * imò, ipse fassus est promptuarii præfectus, se à patre ministro jussum, ut cum à visitatore interrogaretur de superiorum et aliorum commessationibus, rem dissimularet, diceretque esse exigui momenti." Ibid. 39, 40.—*T.*

[3] "Is autem toto tempore suæ visitationis non aliter superiorum abusus defendebat, quàm si unus de ipsorum numero fuisset. Ibid. 40.—*T.*

but only to so much as they knew; and, as conscience, therefore, did not forbid, duty undoubtedly required, that they should have signed the document[1]. In the same spirit, he addressed himself to the other topics. If the fathers, he said, had enticed the students to the society, they were warranted in the proceeding[2]: if they had sent only the refuse of the seminary to join the clergy on the mission, the clergy should pray that God would raise up worthier members to the secular body[3]. The abuse which the superiors had constantly lavished on Bennet, Kellison, and others, was deserved[4]: the revolting slanders, by which they had sought to poison the minds of the students against the clerical order, were a legitimate means of reminding them of their own

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[1] "Respondit D. Cæsius omnes fuisse obligatos ad subscribendum: cui cum replicaret Antonius Hoskins quòd in eâ chartâ multa continerentur quæ planè nesciret, et de quibus nullum testimonium posset perhibere, scilicet, quòd viginti annis regimen collegii nostri approbaretur, cum tamen magna pars subscribentium fuisset paulò ultra dimidium anni in collegio versata; deinde utriusque collegii regimen, tàm Audomaropolitani quàm Romani, approbatum, cum tamen is, qui omnium primus subscripserat, sicut et alii multi, nunquam in collegio Audomaropolitano vixerant,—ad hæc non aliud respondit D. Cæsius, quàm quòd debuerat subscribere: aiebat enim non esse intelligendam hanc chartam, nec aliam hujusmodi, quibus subscribitur, quasi omnia in iis approbanda essent, sed solùm illa verificari debere, in quantum ille novit qui subscribit; ac proinde *posse quemvis subscribere, licet non omnia sciat, de iis quæ in chartâ continentur.*" Ibid. 49, 50.—*T.*

[2] "Respondit omninò hæc esse licita ut fierent." Ibid. 52.—*T.*

[3] "Respondit, debere clerum orare, ut Deus velit viros doctos ad clerum etiam vocare." Ibid. 52.—*T.*

[4] "Objectum est ab Antonio Shelleio quòd superiores in collegio pessimè loquerentur et traducerent præcipuos sæculares presbyteros nationis nostræ, uti D. Bennettum, cleri sæcularis hìc Romæ agentem, et fratrem ejus in Angliâ, episcopi vicarium, D. Kellisonum, collegii Duacensis præsidem, aliosque plurimos, de quibus, tanquam iniquissimis, ita loquuntur superiores, ut hinc non nisi pessimo erga ipsos animo alumni discedere possint. D. Cæsius significavit verba hæc superiorum approbanda esse, cum ad aliquos solùm pertineant"(Ibid. 50, 51). To this decision Shelley replied, by enquiring how they were to comport themselves, on their return to England, towards the bishop, his vicar, and other superiors, of whom they were here taught to entertain so disrespectful an opinion:—were they, he asked, to obey such persons?—If they command what is just and proper, undoubtedly, was the reply; but if not, you must refuse your obedience.—The means of ascertaining the justice and propriety of the command, was then the question. The bishop, said Shelley, might enjoin what the jesuits, for example, might condemn.—"Tum, inquit D. Cæsius, unicuique liberum erit facere quod voluerit: tu verò, inquit, quia et patrem, et fratres, et consanguineos habes in societate, poteris illis potiùs favere in tali casu, quàm clero sæculari." Ibid. 51.—*T.*

frailty, and cautioning them against criminal excesses[1]. Even the partialities of the fathers were not without their merit. They afforded the scholars an opportunity of virtue, and were intended as a preparation for that missionary career, in which patience would so often be required[2]. He then proceeded to the charges against the recusant scholars themselves. Of their turbulent and seditious behaviour, he declared, there could be no doubt. They had complained of the superiors: they had condemned the government of the house: they had formed a conspiracy with Bennet, the inveterate enemy of the society, to eject the fathers from the establishment; and, however he might otherwise be inclined to spare their character and their feelings, in the present instance he was determined to sacrifice every milder consideration, and to deprive them for ever of the means of disturbing the seminary. It was in vain that they asserted their innocence, and denied the imputation thus cast on their intercourse with Bennet. In the evening, their sentence was publicly read in the refectory. Five were condemned to be expelled: two, though their course was unfinished, were ordered to join the mission in England; and the rest were united in one body, and subjected indiscriminately to a course of penance in the college. On the following morning, Falconer, Biddulph, Harris, Ferrers, and Shelley, the last only just recovering from a fever, and all without either money, or clothes adapted to the approaching season, took their departure from the seminary[3].

Oct. 24.

Oct. 25.

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[1] "Respondit D. Cæsius, hujusmodi posse dici, ut alii sibi magis à peccando caveant, cum omnes simus homines" (Ibid 55).—I purposely omit the slanders, from motives of decency.—*T.*

[2] "Dixit, occasionem illis esse exercendæ patientiæ, quæ in Angliam proficiscentibus necessaria est: * * * hæc omnia à superioribus fieri, ut clerus exerceatur in virtute patientiæ." Ibid. 54, 55.—*T.*

[3] Ibid. 42—46. 73—76.—The following was the sentence read in the refectory,—"Cum, diligente factâ pervestigatione, manifestum tandem evaserit, nonnullos collegii alumnos contra superiores conspirasse, et propterea cum externis tractasse et voce et scripto, ut exinde pax et tranquillitas collegii graviter labefactata ac penè extincta fuerit, de ordine S.D.N. statutum est, ut malo huic tempestivè occurratur, et, salutari adhibito remedio, quieti pristinæ reducendæ incumbatur: quod ut felicem quem speramus exitum inveniat, ab illustrissimo et reverendissimo domino cardinale Farnesio, protectore nostro, re priùs cum

The news of this event reached England in December. Aware of the appointment of Cæsius, and apprehensive for the fate of the students, Bishop, now invested with his new authority, had long since instructed his agent, Rant, to exert himself in their defence[1], and had further

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sanctitate suâ deliberatâ, et à collegii visitatore declaratâ, injunctum est pro nunc, ut qui ex præcipuis fuerunt, Joannes Falconius, Petrus Fittonus (*Biddulph*), Franciscus Harrisius, Antonius Shelleus, Thomas Ferrisius, è collegio dimittantur" (Ibid. 45).—Lest they should find an asylum in Douay, the protector wrote to Kellison, informing him of what had occurred, and cautioning him not to admit them into that seminary:—"There came hither, the fourth of this month, a letter from our protector, written the fourth of November, signifying the dismissing of these scholars, and wishing Mr. President to be wary in receiving them." Champney to Rant, March 29, 1624. Original in my possession.—*T.*

[1] "Sit consilio et auxilio alumnis collegii nostri Romani, qui pro clero stant illiusque primævâ institutione. * * Proindè sedulò advigilet ne præfati alumni injuriam aliquam patiantur à patribus jesuitis, à quorum injustâ potentiâ eos vindicare sataget, adhibito in eam rem illustrissimorum cardinalium patrocinio, qui cleri nostri rebus potissimùm favent, vel authoritate et gratiâ magis pollent apud suam sanctitatem" (Bishop's Instructions to Rant, Sep. 1623. Bishop's own copy in my possession).— The following extracts are from a body of memoranda, made by Rant, at this time, and thrown together in the form of a diary:—

"*Sunday, December* 17, 1623. With Cardinal Bandini.—How did the king take the bishop's coming in? Are the times better? Whence came you?" (*He had come from Paris*). "If you had come out of England since the bishop came in thither, his holiness would have liked the better to talk with you. Is the bishop in episcopal habit?—Dress your memorials for dean and chapter: deliver your letters before Christmas; there will be so much business after the holidays. I will speak that you shall have audience.—Bennet was industrious.

"*December* 18. With cardinal S. Susanna.—I am glad to hear the bishop was so well received: his holiness will be gladder. Where stays the bishop in England? Do the jesuits and regulars agree well with the bishop?—How died Mr. Bennet?

"*December* 20. With cardinal Barbarino.—Is Buckingham catholic? Is Rutland or Arundel catholic? Is Douglas of Scotland catholic?—He bad Mr. George Long go get me audience, and smilingly promised me all help.

"With cardinal Bentivoglio.—What I can I will do for you.—He read not the letters.

"Cardinal Mellini.—Have you not been in Rome heretofore?

"Cardinal Ludovisio.—What I can do for you I will willingly. He loathly heard Latin.

"Monsignore Vivez.—You come opportunely. I am glad you are of the Oratory. Come to me as oft as you will. Use my advice, credit, and goods: they be at your service.

"Signor Francesco Ingoli.—Be moderate in speaking of the jesuits. Mr. Bennet had that fault, he would be transported. Their course is, to advance their order. Let them do so; but if this advancement be done with the detriment of the secular clergy of England, resist this detriment, not as coming from you, but as redounding to you.

"Signor La Scala.—All the jesuits in England, until they have a monastery, should be under the bishop: and when their monastery is, then under their proper superiors. All the animosity 'twixt jesuits and priests, and priests and

written both to the pope and to cardinal Bandini in their favour. Unfortunately, neither the agent nor the letters

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others, rises from *meum* and *tuum*. A jesuit will not let a priest come where he have to do, nor a priest let a jesuit where he have power.

" Pere Bertin.—Do not embrace many businesses in this court; for then they will gratify you in some of the smaller, and you shall wait long enough for the despatch of the greater. This court goes by the rule of falsehood. There is not a worse in the world.

" The jesuits are not so powerful now, as they were a dozen years ago. This pope useth them as they should be, for his confessions only, and not for business. He will see into matters with his own eyes, and not with theirs. * * Mr. Bennet, with his piety and recollection in business, made me marvel.

" On St. Thomas's day, after dinner, I had audience of his holiness. My short speech was this,—

" Beatissime Pater, Nuper per literas, jam verò per nuncium, felicissimæ inaugurationi sanctitatis vestræ ordinarius Angliæ et Scotiæ, totiusque illius insulæ clerus catholicus, congratulantur; suam obedientiam per me quàm humillimè et ex corde offerunt. Aliæ namque nationes, quæ pace diuturnâ fruuntur, beatitudinem vestram ut pastorem et patrem venerantur; nos autem ut liberatorem et salvatorem post Christum suspicimus. Licet enim respirandi locus jam detur, si pristina tempora redierint, veluti oves ad occisionem iterùm deputabimur. Gaudemus igitur pleno et integro affectu, de evectione summi pastoris, qui rabiem luporum potenter coerceat, et gregem Anglicanum misericorditer colligat tueaturque. Faveat nobis sedes catholica præ cæteris ecclesiæ filiis, quia plus quàm cæteri omnes pro sedis apostolicæ authoritate tuendâ affligimur. Hæ literæ aperient mentem domini episcopi Chalcedonensis, in his quæ ad missionem meam spectant.

" He took the letters, opened them, began to read them: I held my peace in the interim: he, perceiving it, said, 'Go on': I did so, and said how we heard at Paris, that the news of his holiness's election coming to his majesty's ears, and he having been formerly acquainted with your holiness's detestation of that inhuman patricide and regicide which was to have been attempted against him, while your holiness was in France, nuncio apostolicus, it exceedingly joyed him. Then he asked me,—'Quid sentit rex de fide catholicâ?'—I answered, I thought God only knew his mind. Because he is learned, many believe he cannot but be catholic: but as many think the contrary; and that the loathness he have to part with papal jurisdiction hinders him.—He then said,—'Diù desideravi salutem regis vestræ, et, dum in Galliis legati munus obieram, literas scripsissem, quibus id ipsi notuisset; sed oratores tùm Galliæ tùm Angliæ illas tradendas recusarunt. Antiquissimi et potentissimi reges vestri hoc jus spirituale sibi non vindicarunt: nec, hodierno die, reges maximi Hispaniarum, Galliæ, et Poloniæ, diminutionem regiæ potestatis sedi apostolicæ subdi putarunt: nec existimandi sunt regiæ majestatis minùs zelatores, quàm sit ipse rex Angliæ. Proindè mirum est, regem, aliàs prudentissimum, in hâc re exploratissimâ à ministris deceptum. Principes inter se multas et graves querelas excitant, in quarum accommodatione sedes apostolica non leviter fatigatur.'—Then he asked me what liberty catholics had? I answered,—Mass in private houses, but, if the marriage with Spain went on, we should have public, we hoped. He answered,—'Dum cardinalitiâ dignitate constituti fuimùs, et asciti in congregationem de Propagandâ fide, illic quod potuimus fecimus pro concessione dispensationis, eoùsque, ut ultrà progredi nefas esset; nec jam per me stabit quin felicem exitum assequatur.'

" Then he asked me of my lord's coming into England, whether the king knew of it?—I said, without doubt he did, since he knew of his consecration, place, persons, and time; and the joy which catholics had to see a bishop,

arrived in time to prevent their expulsion. However, they were still lingering in Rome: the want of means

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whom they had not seen in so many years till then, could not be hid.—Then he asked me how the king took his coming in, and what he said of it? I answered, I knew nothing in certain: but, negatively, we might interpret he took it well, since we never heard of any complaint or murmur thereof, in court or city.—At last, he concluded thus, —'Gaudeo de adventu prospero episcopi Chalcedonensis, et de gratâ et lætâ receptione suâ à catholicis cujuscumque ordinis. Ecclesia Anglicana, quæ tot martyres protulit, mihi semper charissima fuit, et inposterum erit, usque ad proprii sanguinis effusionem; imò, pro illâ ecclesiâ, cum apostolo dicam, cupio anathema esse. In negotiis, et emergentibus tuis occasionibus, accedas ad me liberè. Gratissimæ interim sunt istæ literæ episcopi Chalcedonensis, cui quamprimùm respondebo.'—So, kissing his foot, I departed.

"*January* 3. With the rector (*Fitzherbert*).—Dr. Weston perverted Harris (*one of the expelled students*), whom I called my Benjamin. Mr. Bennet obtained, we knowing nothing thereof, faculties that he should lodge in our college. He writ strange letters concerning the college of Lisbon, how the jesuits did endeavour to get it from the secular priests. Mr. More presented a memorial to our general, the day of his election.

"The devil hath put it into men's heads to think us averse to the clergy. It is God who raiseth us friends; and others say, these friends were once the clergy's, and so they lose by us. We properly are *clerici regulares*, and so called by the council of Trent. We cannot be enemies, then, to the clergy, but we must to ourselves: and these scholars, that are expelled for their seditious practices, slander us when they say they are driven out for adhering to the part of the clergy. All the objections of these scholars against us are either frivolous or false; as that it is against the oath of the college that we receive scholars to be jesuits; since there be declarations of the popes for them to be benedictines or dominicans: and Navarre mistook the case of the English college vow. A friar hath writ against him. If in our noviceship it can appear that any comes to be jesuit by the solicitation of others, it is good cause to be dismissed: so that accusation, that we solicit youths to be jesuits, is false! — The manner of visit is not as they think, with examen, but, as the bull goes, *sine strepitu;* and therefore we used no notaries.

"*Mr. Gray's story of the king's indifferency to religion.*—Queen Anne, being with child of prince Charles, being near her time, and fearing to miscarry in childbed, sent for a priest, who said mass, soon after midnight. A fool, that was then in the court, was in another room, next to the chamber where mass was, unknown to any. He opens the door, while the priest elevates the chalice. They shut him out. The next day, he sported before the king, how she made good cheer at midnight, and how the table-cloth was laid, and cups walking, but he was thrust out. The king was jealous of some worse matter: the queen told him of it the truth; and he was satisfied.

"In Gregory the fifteenth's time, Mellini was in such disgrace, that his bread and wine (bouche de cour) was taken from him: and in the conclave of Urban the eighth, cardinal Ludovisio, nephew to Gregory the fifteenth, upon his knees begged that Mellini might not be pope; for he would undo him and his family. While our comprotector was thus low, and the jesuits wrought by him, and that Bandini ruled all under Gregory the fifteenth, this was a fit time for Mr. Bennet to labour in.

"The summer, 1624, Mr. Read, the Scottishman, Peter Fitton, and I, saw Garnett's picture in the grand Gesù gallery, with this subscription,—'*Propter fidem catholicam.*' I spake of it to Mr. Peter, in my lodging (he coming in company with my lord Windsor, in February, 1625), against this inscription,

had prevented them from commencing their journey homewards; and Bishop, therefore, again addressed the agent, desiring him to detain them until the spring, and, in the mean time, to seek, if possible, a revision of the sentence pronounced against them[1]. When this letter arrived, the students themselves had already petitioned the pope on the subject, and had failed[2]. Rant also had made a similar attempt, but with no better success[3]. He now, how-

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saying he died for treason, and how I would complain of it. Mr. Clayton and I went thither in April, 1625. It was changed, and only,—'*Ab Hæreticis occisus*, 1606.' Yet the straw is there, and transposed to the right hand, which is the less perspicuous part of the alley." Original in my possession.—*T.*

[1] Ferrers, one of the five, had raised money amongst his friends, and had returned to England (Narratio Causæ, 44): but his place among the sufferers had been supplied by Anthony Hoskins, who, in the first instance, had been condemned to do penance in the college, but had afterwards been expelled, for refusing to give a written acknowledgment of the existence of the alleged conspiracy with Bennet:—"Reliquis verò pœnitentia imposita fuit, è quorum numero Antonium Hoskinum, quòd fictam hanc conspirationem testare scripto nollet, tandem expulerunt." Ibid. 45.—*T.*

[2] "Gli alunni del collegio Inglese scacciati, exponendo a nostro signore d'esser stati cacciati dal loro collegio indebitamente, supplicano sua santità a commetter la lor causa, acciò li sia fatta la giustitia."

Decretum S. Congregationis de Propagandâ Fide super eodem, die 22 *Jan.* 1624.

"S. Congregatio, ne disciplina alumnorum collegii Anglici dissolvatur, eorumque obedientia erga superiores minuatur, causam ut examinetur, juxta oratorum petitionem, non esse committendam censuit; sed, ut eorundem oratorum existimationi et famæ consulatur, illustrissimum Mellinum rogavit ut, pro suâ prudentiâ, provideat" (Narratio Causæ, ut sup. 67, 68).—To this concluding recommendation Mellini, by whose influence the petition was rejected, of course paid no attention; and Bishop, therefore, as soon as he was informed of it, boldly addressed the pope, requesting that he might be removed from the vice-protectorship:—Quapropter, cum ita esse velit comprotector collegii, ut sit apertus cleri nostri adversarius, humillimè à suâ sanctitate postulavimus ut detur episcopo et clero nostro, unà cum omnibus nobilibus et laicis Angliæ, comprotector saltem alius, qui nos amet, et nobis sincerè patrocinari, et nostros amicos defendere, velit." Bishop to Barberini, April 1, 1624. Rant's copy in my possession.—*T.*

[3] Champney, addressing Rant on this subject, says,—"I do not much dislike that your first skirmish for our scholars had no better success. '*Virescit vulnere virtus*'. Mr. Bennet had an absolute decree against him, for the college of Lisboa, and yet reversed it, and had the contrary decreed for him. You must not be afraid of frowns, or hard words: for, if they can doff you off so, they will be content. They will try, in this your tyrocinio, what courage you have. Be constant, therefore, but without passion; and your business, in time, will go well, with God's grace. That court will do justice; marry, it expecteth it should be demanded, and that with much constancy and patience. Never give over the suit of the scholars, but either with their reestablishment in the college, or, at least, with the allowance of their pension, to finish their studies elsewhere, unless there be good proof made of just cause, given by them for their so dishonourable expulsion." March 1, 1624. Original in my possession.—*T.*

ever, repeated the prayer: he declared that he acted by the command of his bishop, and in the name of the whole body of the English clergy: he entreated the pontiff to refer the cause of the scholars to the revision of the propaganda; and he implored him, should the decision of that body prove favourable, either to reinstate them at once in the seminary from which they had been ejected, or to provide, at the expense of that seminary, for the completion of their studies elsewhere. This appeal of the agent was seconded by letters from Bishop to the pope, impeaching the sentence of Cæsius against the students, and insisting on the necessity of a strict and general investigation into the state of the establishment. Urban at length felt the necessity of yielding to these remonstrances. By his order, the matter was referred, with the necessary instructions, to the propaganda; and, on the twelfth of March, a decree was published, appointing Cæsar de Monte, the auditor and judge-substitute of the congregation, to examine the case of the students, and to report the result to his holiness[1]. Mar. 7. Mar. 12.

It was not without some difficulty, nor until after much delay, that the fathers were now induced to meet the enquiry[2]. At length, however, a paper, containing a list of their complaints, was produced. The principal charge was the alleged conspiracy with Bennet: the proofs, besides the pretended insubordination of some former students, were, the refusal to sign the testimonial in favour of the superiors, the supposed attempts, of some to alienate the younger scholars from the society, of others to bring the government of the house into contempt, the ridicule cast on the junior prefects, the refractory counsel said to have been ad- April.

[1] See Appendix, No. XLII.

[2] I possess the original draft of a memorial, drawn up by Rant, at the end of March, and requesting that, as the fathers persisted in withholding the evidence of their accusations against the scholars, the latter, during the remainder of the investigation, might be supported at the expense of the college. In the margin, Rant has written the following note;—"This memorial I did not give up, but thought to have done. It shews how we were delayed."—*T.*

ministered to the more youthful members of the establishment, and the constant intercourse of the disaffected with the very person, who was here charged as their accomplice and adviser[1]. As Bennet was dead (he died in the preceding August), the accused were unable to rebut the charge with his evidence. They at once,
April 9. { however, denied the conspiracy, both as a fact and as an inference. It was true, they said, they had refused their signatures to the document in question: they had refused to subscribe a statement which they believed to be untrue, and which, if signed, would have prevented them from revealing the abuses of the house, at the time of the visitation. Nor would they deny that they had condemned the conduct of the fathers in the government of the college. Of that conduct they had in private expressed their opinion. They had spoken of the partialities which distinguished the

[1] A particular proof was urged against Biddulph from his letter to Bennet, which the reader has already seen in the Appendix, No. XLI. In that document, which appears to have been intercepted, he had urged the late envoy to hasten the despatch of an agent to Rome, and had expressed a confident hope that, if such a person should arrive, before the close of the visitation, they should be able, with his assistance, "to free all jesuits from the college." From this expression, it was now argued that an understanding evidently existed between Bennet and his correspondent: the object of the parties was clearly to remove the fathers; and a "conspiracy," therefore, must have existed, in which Biddulph, and no doubt the whole of his discontented companions, were engaged. Perhaps the reader will not be displeased to see Biddulph's own remarks on this charge, from a letter which he afterwards addressed to his father:—"My letter to Mr. Bennet," says he, "was written some weeks after that the same disgrace of expulsion had been secretly first plotted, and then publicly threatened, against us; which threats, made me, in my own defence, to desire the assistance of somebody who might have kept us in the college, although they had been put out. * * I do not presume so much, as to quit myself of that which I see virtuous men subject to, and to deny any word of my letter to have been written in passion at that time, when I found my friends incensed against me, myself defamed, and my life put in moral danger, and all this for I know not what,—myself to deny this, I say, I will not. But to acknowledge any such intention, as to put them out, before they began with us, or any conspiracy plotted with Mr. Bennet, here in Rome, I cannot, since I never spake with him to any such end, and that letter might as well have been written to any other clergyman as to him; for it was only to desire help to keep us in the college, and request somebody to inform you of the truth of the business. This is the conspiracy which I deny in my uncle his letter, and denied always; supposing still that to be the thing objected, and not our desire to have them out of the college, after that they went about to expel us: for I acknowledged that to father rector himself, many months since, and do not understand how it can be called a conspiracy." Jan. 25, 1625, Original in my possession.—*T.*

proceedings of the superiors, of the favour bestowed on the votaries of the society, and of the resentment manifested against the friends and advocates of the clergy. They had even sought to confirm the latter in their attachment to their own body, and in their resolution to pursue the original end of their vocation. But beyond this they had never proceeded. They had never attempted to disparage the society in the minds of their companions: they had never counselled either the violation of a rule, or the omission of a duty; and if, in the hours of recreation, a lighter word had, at times, escaped them against the prefects, it had never assumed that character of systematic insult, which the charge of their accusers would seem to indicate. If these declarations were disbelieved, let the fathers abandon their generalities, and descend to facts. Let them specify the individuals who had been led astray: let them produce the words which had been used: above all, let them shew how any, or all, of these offences, even if established beyond a doubt, would support the weight of their accusation, and prove the existence of a conspiracy to change the government of the house. As to their intercourse with Bennet, *that* was easily explained. He was a distinguished member of their own body, the representative of the English clergy, an accepted envoy to the pope, and the natural protector of those, who were to be the future pastors of the English church. To him, then, they had undoubtedly applied. They had explained to him the condition of the college: they had requested his counsel and his assistance: but they had entered into no conspiracy, they had sought no unlawful object; nor had they ever entertained or discussed the project of removing the fathers from the seminary[1]. To these declarations no reply was at-

[1] Narratio Causæ, ut sup. 73—94. Answers of Falconer, Harris, Hoskins, and Shelley, April, 1624. Originals in my possession.—"Quòd si, ut quandoque usu evenire solet, alumni de manifestis partialitatibus, in eos qui sunt futuri jesuitæ collatis, fortè locuti fuerint, profectò hujuscemodi sermones non nisi captiosè et invidiosè trahi possunt ad probandam conspirationem, cum ex re nati fuerint, sine ullâ præcogitatâ malitiâ, qui si sigillatim deferentur, nullius

tempted. In the course of a few days, de Monte reported the result of his investigation to the propaganda; and, on the seventeenth of April, a decree was issued, restoring Dingley, who had been lately expelled, to his place in the college[1]; ordering the other five to be honourably removed to Douay[2]; and con-

April 17.

esse momenti ostenderem. * * Quare patres jesuitæ non proferunt verba et personas, quibus dissuasi?—quòd ego nego. Nam * * ab illo instituto nullum unquam alienavi, aut debitâ regularum observantiâ, aut obedientiâ et reverentiâ erga ipsos superiores, aut (quod illi maximè timent) ab ingressu in jesuitarum ordinem" (Falconer's answer, April, 1624, Original in my possession).—"Murmurare de patribus, illos carpere, et reliqua ibi posita committere, non est conspirare de transferendo collegii regimine à jesuitis. * * Hæc omnia, quæ contra nos afferuntur, si concedantur, nihil tale probant" (General answer in the Narratio Causæ, 86, 87).

The following is Harris's history of one of the charges against him:—"Quamdiù patres me futurum jesuitam sperabant, pro voto mihi omnia succedebant: ubi verò declaravi patri Knotto, qui longo discursu mihi semel suasit societatis ingressum, me in collegii vocatione permansurum, illicò vultus patrum mutatus est, nihilque nisi asperitatem sensi. * * Hanc historiam narravi semel et unico novitio, nempè Edmundo Nevillo, qui nunc jesuita est in voto" (*He joined the society two years afterwards*). "Hic solebat me, tanquam amicum, et fratri suo familiarem, convenire; semelque me interrogavit (forsitan ut me tentaret) utrùm patres nunquam mihi societatis ingressum suasissent. Pro responsione, prædictam historiam in medium protuli, subjungens,—'De fidelitate tuâ mihi non constat; sed tamen non multùm laboro hæc patribus ipsis reveles an non, cum verissima sint. Forsitan hinc colligit se Nevillus meâ operâ a patribus alienatum fuisse, idque deponere paratus est: sed quàm justè illustrissima D.V. viderit. Cum alio novitio nullum sermonem habui, multò minùs de patribus; nec cum Nevillo ipso locutus fuissem, nisi me, petitâ licentiâ, ipse convenisset, et de hâc re sermonis ansam ministrasset." Harris's answer, April, 1624, Original in my possession.—*T.*

[1] The case of Dingley was unconnected with that of the other expelled students. Disturbed by some grievances, real or imaginary, he had, without permission, gone with his complaint to the viceprotector, Mellini, and, for this violation of the rule, had been ordered by the rector to make a public acknowledgment of his fault, declaring that he had fled from the college (*quòd per fugam discessit*), and that he now submitted himself to the punishment which he had incurred. He denied, however, that he had fled, in the sense conveyed by the words, and, on this account, refused to make the acknowledgment. The next morning, Fitzherbert denounced him to Mellini, and he was immediately expelled.—Dingley's Narrative, Jan. 10, 1624. Original in my possession.—*T.*

[2] To make room for them at Douay, an equal number was to be sent from that seminary to Rome. On the seventeenth of June, however, this part of the decree was, by the interest of the fathers, annulled (Rant's memorial to the propaganda, July 7, 1624, MS. in my possession); but Kellison, in a series of letters to the pope and cardinals, complained of this proceeding; and, after a long and tedious correspondence, it was at length arranged that Douay should retain its own students, and that the rector at Rome should defray the expenses of those who were removed from that seminary (Letters and memorials from July 7, 1624, to July, 1626. Originals in my possession).

Falconer, Shelley, and Hoskins arrived at Douay on the twenty-fifth of June, on which day the following entry occurs in the diary,—"25°. Junii è collegio,

cluding with a serious admonition to the rector, that, in future, he should be more circumspect in his proceedings, that he should be more cautious in resorting to so serious a measure as that of expulsion, and that he should rather seek by mildness and affection to correct the errors of the students, than venture, by a harsh exertion of his authority, to endanger the well-being of the establishment. On the same day, a second decree was also drawn up and published. It forbad every student, educated on the foundation, to enter any religious order or society, without the special license of the pope: it declared all professions, that should be made without such license, to be invalid, all persons that should receive them, to be deprived of their privileges; and it required each scholar, on his admission, to bind himself by a solemn oath to conform to this regulation, and to be ready, at the command of the protector or of the propaganda, to take orders, and return to England on the mission[1].

Thus terminated this unhappy dispute. In the conduct of the students there was, no doubt, much to reprehend: in the proceedings of the superiors, there was little of that cautious wisdom, which should have guided them on such an occasion, and for which the members of the "society" have so frequently and so generally been celebrated. Of the abuses said to have existed in the college there can be no question. That men, possessed of the power, should have possessed also the will, to advance the interests of their order, was natural: but it was not less natural that those, at whose expense this advancement was effected, should have felt aggrieved; and it was certainly not by harshness or severity, not by distorted representations, or an attempt

Romano venerunt dominus Joannes Falconus, sacerdos, Magister Antonius Shelleus, et Magister Antonius Hoskinus, theologi, indè dimissi, cum testimonio tamen sacræ congregationis de propagandâ fide (quod hic in perpetuam rei memoriam subjungetur), [et] in collegium sunt admissi" (Diary, i. 243). Harris arrived on the sixteenth of July, and Biddulph on the twenty-first of November (Ibid. 243, 245).—The testimonial, alluded to in the above entry, will be found presently in the Appendix.—*T.*

[1] See Appendix, No. XLIII.

to stifle or evade enquiry, that the feeling thus created was to be removed. An error when acknowledged is more than half redeemed. Had Fitzherbert and his friends acted upon this principle, much both of sorrow and of scandal might have been averted. The moment was more than usually favourable. A tedious negotiation had just been terminated: a bishop had been appointed to the English church; and the clergy, thus possessed of the principal object of their desires, would gladly have united with their religious brethren, and forgotten the causes of their former separation. But, unfortunately, the opportunity was lost. The pride of nature intervened to frustrate the counsels of religion. Resistance was then met by resistance: the wish to reform the seminary was merged in the desire to displace the fathers; and a long and angry conflict ensued, to disturb religion, and to imbitter the feelings of its ministers.—*T.*

PART VI.—CHARLES I.

ARTICLE I.

TREATIES OF MARRIAGE.—THE SPANISH MATCH—ORIGIN OF THE PROJECT—CONCESSIONS IN FAVOUR OF THE CATHOLICS—JAMES ENDEAVOURS TO CONCILIATE THE PARLIAMENT—IT PETITIONS AGAINST "POPERY"—IT IS DISSOLVED—PROGRESS OF THE TREATY—INDULGENCES GRANTED TO THE CATHOLICS—JUSTIFIED BY WILLIAMS—OPPOSITION TO THE MATCH AT ROME—CONDITIONS REQUIRED BY THE POPE—IMPATIENCE OF JAMES—CONDITIONS APPROVED—JOURNEY OF THE PRINCE TO SPAIN—POPE GREGORY WRITES TO HIM—THE PRINCE'S REPLY—ARCHBISHOP ABBOT ADDRESSES THE KING—THE DISPENSATION IS SIGNED—ARTIFICE TO RETARD ITS DELIVERY—TWO TREATIES DRAWN UP AND AGREED TO IN SPAIN—PROTEST OF JAMES—HE SIGNS THE TREATIES—DELAYS OF THE SPANIARDS—DUPLICITY OF CHARLES—FURTHER DELAYS—CHARLES SIGNS A PROXY AND RETURNS TO ENGLAND—GENERAL PARDON AND DISPENSATION GRANTED TO THE CATHOLICS—DEVICES TO BREAK OFF THE MATCH—PROXY REVOKED—JAMES CONSULTS HIS COUNCIL—AND SUMMONS A PARLIAMENT—THE TREATY IS DISSOLVED—PROCEEDINGS AGAINST THE CATHOLICS—TREATY OF MARRIAGE WITH FRANCE—ARTICLES OF THE MATCH—JAMES AND CHARLES SIGN A SECRET ENGAGEMENT IN FAVOUR OF THE CATHOLICS—FRESH DEMANDS FROM ROME—THEY ARE REJECTED BY JAMES—PROPOSAL TO CELEBRATE THE MARRIAGE WITHOUT THE PAPAL DISPENSATION—ARRIVAL OF THE BREVE—CHARLES AND HENRIETTA ARE MARRIED—PARLIAMENT PETITIONS AGAINST THE CATHOLICS—THE PENAL LAWS ARE ENFORCED—DISMISSAL OF THE QUEEN'S HOUSEHOLD—THE POPE EXHORTS THE KINGS OF FRANCE AND SPAIN TO MAKE WAR ON ENGLAND—MISSION OF BASSOMPIERRE—THE PERSECUTION RELAXES.

THESE treaties, which were carried on in the late reign of king James, are said to have been projected by the duke of Buckingham, upon whom his majesty depended entirely in all matters of high concern; and as they were agreeable to the king's temper, so nothing appeared at first to obstruct the execution.

[The project of the Spanish match had originated with the duke of Lerma, the Spanish minister, who, whether seriously or not, had, some years since, suggested to James the possibility of uniting his son with the infanta, Donna Maria, the second of the two daughters of Philip. At first, James contented himself with sounding the disposition of the Spanish court, through the agency, first, of Cornwallis, and afterwards of Digby,

1611.

his ambassadors at Madrid[1]. But, when Digby returned to England, the matter was more seriously discussed: a body of articles, prepared in Spain, was revised and adopted by the English monarch; and Digby, with the approbation of the council, was ordered to proceed at once, as special envoy, to the Spanish court, and formally to negotiate a marriage between the prince and the infanta. For three years, the difficulties in the way of an arrangement effectually prevented the conclusion of the treaty. On the part of James, the object was, to confine himself to the concessions which he had already made; on that of Philip, to improve the terms, by enlarging the conditions, of the proposed match. At length, however, the perseverance of the negotiators seemed to have succeeded. Twenty articles, securing both to the infanta and to her family the free exercise of their religion, were drawn up and transmitted to England for the royal approbation; and James, in a letter addressed to the Spanish monarch, not only signified his assent to these provisions, but further engaged to prevent all infliction of capital punishments on the score of religion, to abolish all oaths connected with religious or doctrinal matters, and to mitigate, to the utmost extent of his ability, the severity of the laws enacted against recusancy[2].

1617. April 14.

1620.

April 27.

It was not to be expected that, in the existing temper of the country, a treaty of this description would escape the animadversions of the zealots. Aware of this, and sensible that it had already awakened the hostility and the denunciations of the clergy, James, when he opened the parliament, at the end of the following January, was careful to recommend it to the two houses in a speech of more than ordinary moderation. They had heard, he said, of the negotiation for a match with Spain, and they had possibly been alarmed for the

1621. Jan. 30.

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[1] [See the narrative of Cornwallis, in the Somers Tracts, ii. 492—501; and Digby's letter, in Cabala, 102—106.— *T.*]

[2] See Appendix, No. XLIV.

consequences, which might result from it to religion. But religion, they might rest assured, should be safe under his guardianship. If he yielded something to the prejudices of others, it was not to enfeeble the energies of the church, but to promote the glory of his God. It was not by severity or compulsion that the consciences of men were to be ruled. Let them profit by the example of those whom they would convert. Let them seek by persuasion and example to win their hearts and to engage their confidence: let them labour in season and out of season, on the right hand and on the left; but let them commit the result to the blessing of that God, who alone could give effect to their exertions[1]. It was in vain, however, that the monarch endeavoured to impress these doctrines on the intolerance of his hearers. Six days later, the commons proceeded to discuss the dangers to be apprehended from the resort of papists to the metropolis; and, on the fourteenth of February, the two houses agreed to address the king, praying him to banish all recusants to a distance of ten miles from London, to prohibit them from attending masses, either in their own houses, or in the houses of the ambassadors, and to put all the laws which had been enacted against jesuits, priests, and other catholics, into strict and immediate execution[2]. To encrease the effect of this petition, the prince, at the request of the lower house, was obliged to join in its presentation[3]: but James suffered it to lie unnoticed: the negotiation for the marriage proceeded; and, at the end of four months, the parliament, by the command of the king, was compelled to adjourn. When the houses reassembled, the commons immediately returned to the question. After some debate, a committee was appointed, to consider the state of religion; and, in the course of a few days, a petition, embodying the opinions and feelings of the house, was drawn up and ordered to be presented to the king. It declared

Feb. 5.

Feb. 14.

June 4.

Nov. 20.

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[1] See Appendix, No. XLV.

[2] Commons' Journals, i. 508, 519.

[3] Ibid. 524.

that the pope and the king of Spain were combining to establish a universal throne, the one in spirituals, the other in temporals: that, in the prosecution of this design, they were aided by the confederacy of the popish princes abroad, whose only aim was the advancement of their own religion, and the subversion of the reformed faith: that, encouraged by this alliance, and gathering hope both from the disasters of the palatine, and from the prospect of a marriage between the prince and the infanta, the papists at home were already looking forward to the toleration of their worship: that they were resorting in crowds to mass in the chapels of the foreign ambassadors, were sending their children for education to the foreign seminaries, and, while the country swarmed with priests and jesuits, and the press teemed with their seditious publications, were actually permitted to compound for their several forfeitures, and to purchase exemption upon terms, which neither his majesty nor the law could have contemplated. Of such a state of things it was not difficult to foretell the consequences. From connivance these people would, in a short time, proceed to ask for toleration; toleration must be followed by equality; and equality would never rest till it had subverted its rival, and established itself in undisputed ascendancy. On this ground, then, the commons implored the king to adopt the measures which they were about to suggest. Let him declare war on the emperor, and avow himself the defender of the protestant states of Germany; let him marry his son to a protestant princess; let him appoint a commission for the execution of all laws, enacted, or to be enacted, against popish recusants; let him recal the sons of all noblemen, gentlemen, and others, suspected in their religion, from the parts beyond seas; let him command the children of all popish recusants to be brought up under protestant teachers; let him revoke all licenses for the residence of such children in foreign states; and, finally, if it could be legally effected, let him cancel all grants of recusants' lands, and all inadequate compositions for recusancy.

Of this petition a copy was secretly forwarded to James, almost as soon as it was proposed to the consideration of the house. Irritated at its contents, the monarch, who lay ill at Newmarket, instantly addressed the speaker in an angry and menacing letter. He denounced the "fiery and popular spirits", who had availed themselves of his absence and indisposition, to interfere in "matters far above their capacity": he forbad them to "meddle in mysteries of state", or to speak of his son's marriage, or to touch the honour of his friend and ally, the king of Spain, or to concern themselves with any matter already submitted to the courts of justice: he declared that he would reject any petition which should allude to these points; and he significantly hinted that he possessed a power, which he should not hesitate to exercise, of punishing the insolence of the members, whether in or out of parliament. By the house, this letter was not unnaturally regarded as a violation of its privileges. Without, however, manifesting its anger, it proceeded again to address the king in justification of its conduct. James returned a long and undignified reply: a succession of messages and remonstrances followed; and the king, at last, enraged with the determination of the members, first tore from the journals a protestation of independence which they had entered, and then dissolved the parliament[1]. Dec. 3. Dec. 11. 1622. Jan. 6.

In the mean time, the death of Philip had transferred the crown of Spain to his son, a prince of the same name, and the brother of the infanta. James's first care was to address the young king, and to engage him to continue and confirm the treaty for the marriage. The reply of Philip was favourable: his ambassador, the duke of Albuquerque, was instructed to solicit the necessary dispensation from the pope; and, to accelerate the proceedings, James first despatched Gage, an

[1] [Commons' Journals, i. 640, 643—658, 668. Rushworth, i. 53, 54. Rymer, xvii. 344. See Appendix, No. XLVI. The letter to the speaker will be found in the preceding volume of this history, p. 158, where, by a misprint, it is dated in 1631.—*T.*]

English catholic, in quality of agent, to the papal court, and afterwards commissioned Bennet, the envoy of the clergy, to press the affair more immediately on the attention of the pontiff[1]. When Bennet arrived in Rome, but little progress had been made by his predecessors in the negotiation. At his first audience, however, he opened the matter to Gregory, and, in a memorial from the clergy, laid before him an outline of the several advantages which were likely to result to religion from the projected match. The pontiff listened with attention, and replied with kindness. The canons, he said, could be dispensed with only for the benefit of the church. In the reasons which he had heard, there was unquestionably much to recommend, if not to justify, the step. But religion must be secured; the advantages which she anticipated must be rendered certain: — what assurance did they possess that the king would perform what they were bound to require, or that he would grant the toleration which the catholics were expecting at his hands?—Bennet, in a written statement, immediately appealed to the recent proceedings of the monarch; and, a few days later, a congregation of cardinals was specially summoned, to deliberate on the conditions of the grant[2].

1621. Nov.

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[1] [The letters written both by James and Charles to the young king of Spain, on this occasion, are printed in Rushworth (i. 57—60); and, though evidently speaking of the match for the first time after the death of the elder Philip, March 31, 1621, are not dated until March 14, in the following year. In this date, there is unquestionably an error: for it is certain, first, that Bennet, who was instructed to urge the granting of the dispensation, left England in the preceding September (see page 84, note 1, ante); and, secondly, that Gage, who was commissioned by James for the same purpose, was already in Rome when Bennet started. Gondomar, writing to Bennet on the tenth of October, after expressing a desire to hear of his safe arrival in Rome, says,—"Las cartas, que V. M. me pedio para los señores cardenales *y don Jorge Gage*, van con esta" (Octob. 8, 1621, original in my possession).—The fact, however, is, that Digby, the bearer of the letters in question, was despatched to Madrid on the fourteenth of May, 1621 (see his commission in Rymer, xvii. 300): and there can be no doubt, therefore, that *May*, and not *March*, should be the date in Rushworth.—*T.*]

[2] ["You would not think how well our employment concerning this dispensation is here taken, and what good it hath done. I have given up twenty reasons for that business, which are exceedingly liked of by the best, and, doubtless, will stead and serve to good purpose. Cardinal Bandini, head of the congregation appointed for that affair, [is] my special friend, and sheweth much for-

As an earnest of his future conduct, James had already checked the violence of the clergy, in their declamations against popery, and had sought, by restraining the power of the pursuivants, to mitigate the severity of the laws against his catholic subjects. He now resolved to make another and more effectual demonstration to the same effect. By his order, warrants under the great seal were directed to the justices of assise, requiring them, on the production of sufficient bail, to discharge from prison all recusants, confined within their respective circuits. At the same time, and by the same authority, Williams, the chancellor, wrote to each of the judges. He informed them particularly of the royal pleasure: he cautioned them against all "niceness or difficulty" in the application of their present powers: and, in the course of a few weeks, it was generally known that no less than four thousand persons were released from confinement, in different parts of the country[1]. This unusual act of clemency was not suffered to pass without remonstrance. To justify it, Williams addressed a letter to the lord Annan, urging the policy of the proceeding, and assuring him that its tendencies were far less formidable than had been imagined. The catholic princes, he observed, had been offended by the severity of the penal laws, and were already preparing to retaliate, by the enactment of a similar code against the protestants of their own states. On religious grounds, therefore, it was necessary to qualify the operation of these statutes. And yet, what had hitherto been effected? No capital offender had been released: no act regarded as treasonable by the law had been pardoned. Even those who had obtained their liberty still carried "their shackles about their heels;" and should their conduct deserve, or the royal policy require, it, they would unquestionably

1622. July 25.

Aug. 2.

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wardness in this important work; and, within these two days, gave me the most plausible audience that I could wish; being admitted to his bed's side, where he lay for a sore leg." Bennet to his brother, Dec. 12, 1621, original in my possession. See Appendix, No. XLVII.—*T.*]

[1] [Prynne's Hidden Works of Darkness, 13; Wilson, in Kennet, i. 750.—*T.*]

be at once "remanded to their former state[1]." It may be doubted whether these arguments were sufficient to allay the apprehensions of the protestants. By the catholics, at all events, they were received without alarm. They were regarded as an apology, framed to suit the temper of the nation; and, if individuals were found, to condemn the monarch of duplicity, the clergy, at least, with the great body of the laity, were still willing to rely on the sincerity of the royal intentions[2].

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[1] See Appendix, No. XLVIII.

[2] [This is evident from the memorials constantly presented to the pope, as well as from all the correspondence of the time. In illustration, however, of several of the points here alluded to, I will subjoin, from the original, the following letter addressed by Farrar to Bennet, at this period:—

"Right worthy and respected Sir,

"Since my last, * * * we understand that there passed by there (*Paris*) of late a couple of jesuits, by name father Talbot and father Silisdon, that are making to Rome. In that place, they gave out that the lay catholics are not yet released in England. It is not to be doubted but they who, so near home, and amongst those who are like to know the truth of matters, are not ashamed to report so manifest untruths, will, further off, be more bold in their relations and reports. You may, therefore, know this for certain truth, that, as I have heretofore writ unto you, all the lay catholics that were, in any place in all the kingdom of England, imprisoned merely for religion, are dismissed, freed, and set at liberty, by virtue of the king his special letters under his broad seal, to that effect. This we have for certain, not only of such catholics as were imprisoned for the catholic religion in London, but even of those in the north, in Lancashire, Herefordshire, and, in a word, in all other places and parts of the realm, from whence we had both special letters advertising us thereof, and also divers scholars lately come from those several parts, who affirm the same: insomuch that they report, there be some released in the castle of York, who for their conscience had suffered thirty-eight years' continual imprisonment there, others twenty-six, others more. And although some here and elsewhere think they be not freely and absolutely released, with [out] any manner of restriction, &c., but only upon bail, as the common course of releasement is, yet you know that that manner of releasing upon bail is, in a sort, equivalent to a free and absolute releasement. And, seeing they are released by the king's special grant, they cannot be recalled again, but by the king's special command, and under his or a number of the privy council their hands. True it is that we hear there be yet some detained in Lancaster, who were committed heretofore for printing of catholic books; to whom the judges (more strict herein than perhaps they can well justify) will not permit this privilege and favour of his majesty to be extended; they being committed, as they say, not for matters of religion, but for printing, the which is, by a special law of the realm, prohibited to all, of what religion soever they be, save such as be publicly licensed, within the city of London only and the two universities, out of which places, you know, there is no printing permitted or allowed in all England. Withal, we understand that, at Durham, the bishop of that place, upon the releasement of the rest of the catholics, on his own authority kept still in prison a catholic woman possessed, and another in whose house the said possessed woman had been, at several times, exorcised; which yet was more than he could do. But it seems he owed the devil a spite, and so meant to keep him in prison for it.—These two prece-

In the mean time, the same opposition, which had sought to frustrate the clergy, in their application for an episcopal superior, had also been striving to retard the dispensation, and, if possible, to prevent the completion of the match. When Bennet arrived in Rome, in the preceding year, he found this opposition already in action[1]. As the suit advanced, the zeal of its adversaries encreased. Fresh doubts were started, fresh difficulties were raised; and, while attempts were made at home to incense the monarch, and to disgust him with the negotiation[2], every effort was employed in

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dents are all that I can hear likely to be alleged against the general releasement of all catholics; which I thought good to give you notice of, to the end you might be provided against such shameless untruths and lies, as will, perhaps, be given out there, in this matter.

"Mr. Gage his employments are much talked of in England. They say, the king and he spend whole hours, sometimes three or four together, in private conference. He gives out he is presently to return in all post haste to Rome.

"The king, upon the news of the taking of Heidelberg, sent the marquess of Buckingham to the Spanish ambassador, to expostulate with him thereabout; betwixt whom there passed a terrible conflict of huge and mighty words: insomuch that they say they were so loud in the heat of their reasoning the matter, that they were heard many rooms off. Yet the skirmish ended in peace, and the marquess, before he departed, supped with the ambassador.

"We are informed, Toby Matthews gives out that some have raised sinister reports of him, because he will not be drawn to be a slave to the clergy. It seems, some take notice of his jesuit's weed and his priesthood, which he would gladly conceal, if he could, thereby to carry matters more smoothly, than otherwise he is like; but, I think, in vain. Besides other good proofs hereof, there is one in these parts, whose mother, a lady of good note, told him that young Toby had said mass in her house. And yet these men persuade themselves they can walk invisibly! Enough of this. * * Adieu. Douay, 5 October, 1622.

"Yours ever in all service,

"W. FARRAR."

Of the report circulated by Talbot and Silisdon, Bishop also speaks, from his own knowledge. "On Michaelmas day", says he, "father Silisdon, accompanied with father Talbot, passed by this town towards Rome. What news they carry we heard not, saving that here they gave out that the lay catholics were not delivered out of prison, according to the king's letters patents; which to speak absolutely was false, for that the most of them be out. If some one man, in some remote shire, be not, this is nothing to the purpose." To Bennet, October 3, 1622, original in my possession.—*T.*]

[1] [See his letter to Buckingham, March 6, 1623, in No. XLVII. of the Appendix.—*T.*]

[2] [One of these attempts was specially intended to irritate the king against Bennet, and, through him, against the clergy, who were the avowed and strenuous advocates of the match. It was said, and reported to James, that, after his first audience, the agent was sent for privately by the pope; that he was commanded to declare his real opinion as to the sincerity of the English monarch; and that, availing himself of this opportunity, he immediately assured

Rome to prejudice him in the estimation of the pontiff, and to represent his promises and declarations as unworthy of belief[1]. It is not surprising if these endeavours at length produced an effect on the minds of Gregory and his advisers. The articles, which had been approved by James and the late king of Spain, had already been submitted to the congregation of cardinals, as the basis of the proposed dispensation. These were now carefully discussed. Several alterations and additions were introduced, with the view of rendering them more stringent; and a clause was finally appended, intimating that, before he could be relieved from the operation of the canons, the English monarch must distinctly set forth the measures which he was prepared to adopt, for the advancement of the catholic religion within his dominions. With the conditions thus
July 28. { altered and enlarged, Gage left Rome on the twenty-eighth of July[2]. By James, who expected the grant of the dispensation, the demand of fresh concessions was received with evident dissatisfaction[3]. To

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the pontiff that his sovereign was not to be trusted. Bennet, to whom the story was incidentally mentioned by his brother, thus speaks of it, in one of his letters to Dr. Bishop:—"I desire that my brother will send me that relation of the second audience I should have with his holiness (according to the jesuits' report) authentically testified, and that forthwith. I writ hereof to himself: this I remember here, if those should miscarry. That relation containeth a notable piece of knavery and falsehood. * * I have made it known here to the best: and, whereas they thought to mischief me with his majesty, they shall find it turn to my good, and the good of the clergy" (Aug. 15, 1622, original in my possession).—The brother's relation was as follows,—"How, after your first audience, his holiness should send for you, and tell you that he had heard you as a man sent from the body of the clergy; now, as a private man, he commanded you to tell him your opinion of the king; and that you should answer, he was not to be trusted, [and] withal advise his holiness to warn the catholic king not to go forward with our king without such assurance as he could not be deceived" (to John Bennet, Sep. 14, 1622, original in my possession).—In his letter to Buckingham, to which I have referred in the preceding note, Bennet evidently alludes to this story.—*T.*]

[1] [See a specimen of this in the report of Mellini's argument, in No. XXXVII. of the Appendix; also in Farrar's and Bishop's letters, in note 2, page 122.—*T.*]

[2] ["Mr. Gage parted hence, three days since, for England. He carrieth the conditions for the dispensation. He will endeavour to clear the jesuits, I suppose, of the imputation of opposition to the match: but here that is so well known, that he shall wrong himself, if he go about it." Bennet to Bishop, July 31, 1622, original in my possession. See Appendix, No. XLIX.—*T.*]

[3] ["Mr. George Gage is come, six weeks ago. At first, they gave out he

encrease his displeasure, news arrived that the palatine, for whose safety he had trusted to the intervention of Spain, had been stripped of the greater part of his possessions. Roused at the intelligence, he wrote instantly to Digby, his ambassador at Madrid, complaining of the treatment which he had received, and ordering the envoy to demand an immediate explanation, as to the real intentions of the Spanish crown. For himself, he said, he had proceeded with all sincerity in the negotiation. He had been patient, when patience might well have been exhausted; and was even still willing to sacrifice something for the accomplishment of his desire, by yielding, as far as might be, to the demands of the Roman court. But there must be an end to the evasions and delays, by which he had hitherto been met. It must be understood that, beyond the concessions which he now specified, it was impossible for him to advance; and he must know distinctly and at once, whether he was to look for the completion of the present treaty, or whether his son was to seek an alliance elsewhere. Digby had scarcely laid this message before Philip, when a second despatch, suggested by the situation of the palatine, directed him once more to address the monarch, and, unless he should receive a satisfactory reply within ten days, to return to England[1]. But Philip, who had already ordered his forces to act in defence of the palatine, had also sought to accelerate the proceedings, connected with the marriage, at Rome[2]. To James,

Sep. 9.

Oct. 3.

came with the dispensation; now, that he had only the copy of it, which having shewed the king, he disliketh two points that his holiness setteth down, for motives inducing him to dispense, viz., the catholic education of children hoped for; 2°. toleration of religion to English catholics, with some security for the same; and that George Gage is to go to Rome about it." Edward Bennet to his brother, Sep. 14, 1622, original in my possession.—*T.*]

[1] [The reader, however, should be informed that he was privately ordered not to act on this instruction, which, in fact, was to be used only, as James expresses it, "with our people in parliament, as we shall hold best for our service." Prynne 20.—*T.*]

[2] [When Buckingham, on his return from Spain, appeared before the two houses, to make his statement of what had passed, and to justify his proceedings at Madrid, among other supposed evidences of the insincerity of the Spanish government, he produced two letters, said to have been written at this time, one

therefore, it was easily shewn that there was no real ground of offence. The discussion of the religious articles was consequently resumed. By degrees, the several points in dispute were amicably adjusted: the English monarch undertook to pledge his word in private, for the suspension of the penal laws; and, on the 1623. Jan. 5. fifth of January, 1623, James wrote to Gage, who had returned to Rome[1], informing him that the conditions agreed on at Madrid had been approved and ratified, and ordering him, if the business were likely to succeed, to present the letters, of which he was the bearer, to the pope and the cardinals Ludovisio and Bandini. Gage obeyed the instructions. While the other parts of the treaty proceeded in Spain, that of the dispensation was seriously urged on the attention of the Roman court; and, before the end of April, it

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from Philip to Olivarez, requiring the adoption of some instant measures for the dissolution of the treaty; the other from Olivarez to the king, drawn up, as was pretended, in answer to the preceding, and containing the views and opinions of the minister, on the subject in question. To account for his possession of these documents, Buckingham told the houses that, having accidentally remarked in conversation with Olivarez, that the treaty had already been seven years in progress, the latter assured him that it had not been "really intended" for as many months: that, to prove the truth of this assertion, and thereby to supply the duke with evidence as to the beneficial effects of the prince's journey, he produced these letters: that the first was "read over five or six times," and transcribed from memory by the prince and sir Walter Aston; and that the other, which we must suppose to have been lent to him for the purpose, was "translated by the prince himself" (Lords' Journals, iii. 226). The story in itself is sufficiently improbable: but its improbability is encreased by the nature of Olivarez's letter, which, instead of answering to the assumed character of a reply, actually *suggests* the very points which the king is supposed to have started; talks only of "suspecting" the opinions of Philip to be in favour of a dissolution of the treaty; and concludes by offering, "if commanded," to give his advice on the very subject, on which Philip is represented to have required it, three days before!—As Dodd has printed the letters, I shall subjoin them in the Appendix, No. L.—*T.*]

[1] [He had first been despatched to Madrid, with letters to Digby; and had thence been ordered to proceed to Rome, where he arrived about the twenty-third of February. "Since I sealed up my packet", says Bishop, in one of his letters to Bennet, "Mr. Gage came to visit us (*in Paris*), who was, at his first coming to the king, as he says, not much respected, because he brought, as a condition of the dispensation, something that liked them not: yet, afterwards, he was in credit, they meaning to use him for that purpose of mollifying the conditions. And whereas he was to have been sent straight to Rome, now he is to pass by Spain, and there to see the conclusion of the match, and to bring their help for our king with him" (Nov. 15, 1622, original in my possession).—"Mr. Gage is come, some twelve days since, and the conditions of the match, in Spain agreed

was confidently announced by the envoy that a favourable decision had been pronounced[1].—*T.*]

When two or three years had been [thus] spent in settling preliminaries, by an unusual management, it was thought proper that prince Charles should go over personally into Spain, to make his addresses to the infanta[2]. Accordingly, he set out in February, 1623, taking his way *incognito* through France, and having along with him George, then only marquess of Buckingham, sir Francis Cottington, Mr. Endymion Porter, with two chaplains, Mawe and Wren, who carried with them several bales of common-prayer books translated into the Spanish language; as we may sup- 1623. Feb. 18.

upon, are sent by a proper *(express)*." J. Bennet to his brother, March 6, 1623, original in my possession.—*T.*]

[1] [See Appendix, No. LI, together with the correspondence in Prynne, 16—29; Clarendon Papers, i. 4—11; Cabala, 259; and Hardw. Papers, i. 497.—The letter to the pope, with which Gage was intrusted, has been printed by mistake in the preceding volume of this history, Appendix, cclxxxix. —With regard to the dispensation, Philip had engaged to procure it by the end of April, at the latest; and, in the mean time, the articles, distinguished as the temporal articles, were to be arranged. These, when concluded, were, that the espousals should take place within forty days after the arrival of the dispensation; that, within three weeks from the date of the marriage, the infanta, under the care of Don Duarte of Portugal, should embark for England; and that, in consideration of the protection to be afforded to the English catholics, and, in particular, of the remission of the several fines and forfeitures attached to recusancy, a dower of no less than two millions of crowns should be paid (Hardwick Papers, i. 498.)—" La magestad catholica del rey mi señor, de buena voluntad, viene en dar los dos millones de escudos, de à doze reales, que su magestad del rey su padre ofrecio al serenissimo principe de Gales con la señora infanta Doña Maria, su hija, y lo quiere cumplir por los mismos fundamentos, que se ofrecio :—à saber, haver adelantado la causa catholica por la piedad y gracia de la magestad del serenissimo rey de la Gran Bretaña, su padre, en satisfacion y recompensa deste casamiento, con tan notorias conveniencias y ventajas de la religion catholica Romana, en todos sus reynos, y beneficio de los que la professan: particularmente, haviendo la dicha magestad hecho suelta y remitido el interez en lo passado y presente, que le resultava de las penas, gravamenes, e imposiciones puestas à los catholicos, à quienes, por la misma piedad y gracia, el dicho señor rey de la Gran Bretaña, dessea el libre uso domestico de la misma religion catholica Romana, suspendiendo, con su soberano poder, la execucion de las leyes, prematicas, proclamaciones, y decretos, que lo impidian." Respuesta de su magestad catholica tocante à la dote, apud Clarendon's State Papers, i. Append. xxx.—*T.*]

[2] [The project is believed to have been suggested by Gondomar, in the preceding summer; though Buckingham, in a conversation with Gerbier, claimed it as his own. His object, so he said, was to test the sincerity of Spain on the subject of the palatinate (See the substance of Gerbier's narrative in D'Israeli's Curiosities of Literature, p. 302 et seq. eleventh edition). Bristol, however, asserted that the scheme was devised by Buckingham and Gondomar conjointly,

pose, to give the Spaniards an idea of the inoffensiveness of the English liturgy[1]. What retarded the progress of the match, for some time, were certain preliminary articles, relating to the dispensation from Rome, the

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with a view to induce the prince, when he should have arrived in Spain, to embrace the catholic faith (Lords' Journals, iii. 576). Perhaps it is some confirmation of this, that, in their very first letter after their arrival in Spain, Charles and his companion actually requested the king to inform them "how far they might engage him in the acknowledgment of the pope's special power." James replied that he was "not a monsieur, who could shift his religion, as easily as he could shift his shirt when he came from tennis;" and the enquiry was not afterwards renewed. Hardwick Papers, i. 402, 411. See also the letters between Charles and the pope, which follow in the text.—*T.*]

[1] [The attendants of the prince and Buckingham were sir Francis Cottington and Endymion Porter only. The chaplains Mawe and Wren followed, by command of the king, in the middle of the next month. "I have sent you," says James, writing to the prince, "two of your chaplains fittest for this purpose, Mawe and Wren, together with all stuff and ornaments fit for the service of God. I have fully instructed them, so as all their behaviour and service shall, I hope, prove decent, and agreeable to the purity of the primitive church, and yet as near the Roman form as can lawfully be done; for it hath ever been my way, to go with the church of Rome *usque ad aras*" (March 17, 1623, in the Hardwick Papers, i. 406).—The following are the instructions given by James to the chaplains, on this occasion:—

"1°. That there be one convenient room appointed for prayer, the said room to be employed, during their abode, to no other use.

"2°. That it be decently adorned chapel-wise, with an altar, fonts, palls, linen coverings, demi-carpets, four surplices, candlesticks, tapers, chalices, patens, a fine towel for the prince, other towels for the household, a traverse of waters for the communion, a basin and flagons, two copes.

"3°. That prayers be duly kept twice a day: that all reverence be used by every one present, being uncovered, kneeling at due times, standing up at the creeds and gospel, bowing at the name of Jesus.

"4°. That the communion be celebrated in due form, with an oblation of every communicant, and admixing water with the wine; the communion to be as often used as it shall please the prince to set down: smooth wafers to be used for the bread.

"5°. That in the sermons there be no polemical preachings to inveigh against them, or to confute them, but only to confirm the doctrines of the church of England by all positive arguments, either in fundamental or moral points; and especially to apply themselves, in moral lessons, to preach Christ crucified.

"6°. That they give no occasions, or rashly entertain any, of conference or dispute, for fear of dishonour to the prince, if, upon any offence taken, he should be required to send away one of them: but if the lord ambassador, or Mr. Secretary, wish them to hear any that desire some information, then they may safely do it.

"7°. That they carry the articles of our religion in many copies, the books of common-prayer in several languages, store of English service books, the king's own works in English and Latin" (Apud Collier, ii. 726).—I will subjoin a letter from Howel to Sir Thomas Savage, descriptive of the prince's arrival and reception at Madrid:—

"The great business of the match was tending to a period, the articles reflecting both upon church and state being capitulated, and interchangeably

affair of the palatinate, and what concessions were to be allowed, in favour of the English catholics[1]. While

accorded on both sides, and there wanted nothing to consummate all things, when, to the wonderment of the world, the prince and the marquess of Buckingham arrived at this court, on Friday last, upon the close of the evening. They lighted at my lord of Bristol's house, and the marquess (Mr. Thomas Smith) came in first, with a portmantle under his arm: then the prince (Mr. John Smith) was sent for, who stayed a while t'other side of the street, in the dark. My lord of Bristol, in a kind of astonishment, brought him up to his bed-chamber, where he presently called for pen and ink, and despatched a post that night into England, to acquaint his majesty how, in less than sixteen days, he was come safely to the court of Spain. That post went lightly laden; for he carried but three letters. The next day, came sir Francis Cottington and Mr. Porter; and dark rumours ran in every corner, how some great man was come from England; and some would not stick to say amongst the vulgar, it was the king: but, towards the evening on Saturday, the marquess went in a close coach to court, where he had private audience of this king, who sent Olivarez to accompany him back to the prince, where he kneeled, and kissed his hands, and hugged his thighs, and delivered how unmeasureably glad his catholic majesty was of his coming, with other high compliments, which Mr. Porter did interpret. About ten o'clock that night, the king himself came in a close coach, with intent to visit the prince, who, hearing of it, met him half way, and, after salutations and divers embraces which passed in the first interview, they parted late. I forgot to tell you that count Gondomar being sworn counsellor of state that morning, having been before but one of the council of war, he came in great haste to visit the prince, saying he had strange news to tell him, which was, that an Englishman was sworn privy counsellor of Spain, meaning himself, who, he said, was an Englishman in his heart. On Sunday following, the king, in the afternoon, came abroad to take the air, with the queen, his two brothers, and the infanta, who were all in one coach, but the infanta sat in the boot, with a blue riband about her arm, of purpose that the prince might distinguish her. There were above twenty coaches besides, of grandees, noblemen, and ladies, that attended them. And now it was publicly known amongst the vulgar that it was the prince of Wales who was come; and the confluence of people before my lord of Bristol's house was so great and greedy to see the prince, that, to clear the way, sir Lewis Dives went out and took coach, and all the crowd of people went after him: so the prince himself, a little after, took coach, wherein there were the earl of Bristol, sir Walter Aston, and count Gondomar, and so went to the Prado, a place hard by, of purpose to take the air, where they stayed till the king passed by. As soon as the infanta saw the prince, her colour rose very high, which we hold to be an impression of love and affection; for the face is sometimes a true index of the heart. Upon Monday morning after, the king sent some of his prime nobles and other gentlemen, to attend the prince in quality of officers, as one to be his major domo (his steward), another to be master of the horse, and so to inferior officers; so that there is a complete court now at my lord of Bristol's house. But, upon Sunday next, the prince is to remove to the king's palace, where there is one of the chief quarters of the house preparing for him. March 27, 1623."—Familiar letters, 116, 117. Ed. 1713. See Appendix No. LII.—*T.*]

[1] [These matters, as the reader has seen, had already been adjusted: but the arrival of the prince suggested to the Spanish court the possibility of obtaining further advantages; and Olivarez, on whom the whole responsibility of the treaty rested, eagerly availed himself of the opportunity, to work on the inexperience of Charles, and to reopen the negotiation. Hardwick Papers, i. 414, 415. Howel's letters, 118, eighth edition.—*T.*]

these points were debating, pope Gregory the fifteenth wrote [the following] very obliging letter to the prince, which was answered by his highness in terms of equal civility:—

"Most noble Prince, health and light of divine grace, &c.—Great Britain, abounding with worthy men, and fertile in virtues, so that the whole earth is full of the glory of her renown, induceth many times the thoughts of the great shepherd to the consideration of her praises; in regard that, presently, in the infancy of his church, the King of Kings vouchsafed to choose her with so great affection for his inheritance, that almost it seems there entered into her, at the same time, the eagles of the Roman standards and the ensigns of the cross; and not few of her kings, indoctrinated in the true knowledge of salvation, gave example of christian piety to other nations and after days, preferring the cross to the sceptre, and the defence of religion to the desire of command; so that, meriting heaven thereby, the crown of eternal bliss, they obtained likewise upon earth the lustre and glorious ornaments of sanctity. But, in this time of the Britannic church, how much is the case altered! Yet, we see that, to this day, the English court is fenced and guarded with moral virtues, which were sufficient motives to induce us to love this nation (it being no small ornament to the christian name), if it were likewise a defence and sanctuary of catholic virtues. Wherefore, the more the glory of your most serene father delighteth us, the more ardently we desire that the gates of heaven should be opened unto you, and that you should purchase the universal love of the church. For whereas that the bishop Gregory the great, of most pious memory, introduced amongst the English people, and taught their kings, the gospel and a reverence to the apostolical authority, we, much inferior to him in virtue and sanctity, as equal in name and height of dignity,—it is reason we should follow his most holy steps, and procure the salvation of those kingdoms, especially, most serene prince, there being great hopes offered to us, at this time, of some fruitful issue of your determi-

nation. Wherefore, you having come to Spain and the court of the catholic king, with desire to match with the house of Austria, it seemed good to us most affectionately to commend this your intent, and to give clear testimony that, at this time, your person is the most principal care our church hath: for, seeing how you pretend to match with a catholic damsel, it may easily be presumed that the ancient seed of christian piety, which so happily flourished in the minds of Britain's kings, may, by God's grace, revive in your breast. For it is not probable that he, that desires such a wife, should abhor the catholic religion, and rejoice at the overthrow of the holy Roman chair. To which purpose, we have caused continual prayers to be made, and most vigilant orisons to the Father of lights for you, fair flower of the christian world, and only hope of Great Britain, that he would bring you to the possession of that most noble inheritance, which your ancestors got you by the defence of the apostolical authority, and destruction of monsters of heresies. Call to memory the times of old. Ask of your forefathers, and they will shew you what way leads to heaven, and, persevering in what path, mortal princes pass to the heavenly kingdom. Behold the gates of heaven open. Those most holy kings of England, which coming to Rome, accompanied with angels, most piously reverenced the Lord of lords, and the prince of the apostles in his chair,—their works and examples are mouths, wherewith God speaks and warneth you, that you should imitate their customs, in whose kingdoms you succeed. Can you suffer that they be called heretics, and condemned for wicked men, whom the faith of the church testifieth that they reign with Christ in heaven, and are exalted above all princes of the earth? Behold, they, at this time, reached you their hands from that most blessed country, and brought you safely to the court of the catholic king, and desire to turn you to the bosom of the Roman church, which, praying most humbly, with most unspeakable groans, to the God of all mercy, for your salvation, doth reach you the arms of apostoli-

cal charity, to embrace most lovingly her child so often desired, and to point out, as it were with a finger, the blessed hopes of heaven. And, truly, you could do no act of greater comfort to all nations of christendom, than to return the possession of those most noble isles to the prince of the apostles, whose authority, for so many ages, was held in England for the defence of the kingdom, and a divine oracle: which will not be uneasy to do, if you open your breast, upon which depends the prosperity of those kingdoms, to God who is knocking. And we have so great a desire of the honour and exaltation of your royal name, that we wish that you should be called, through the whole world, together with your most serene father, the deliverer of Great Britain, and restorer of her ancient religion; whereof we will not lose all hopes, trusting in Him, in whose hands the hearts of kings lie, and who rules all nations of the world; by whose grace we will, with all possible diligence, labour to effect it.—And you cannot choose but acknowledge, in these letters, the care of our apostolical charity to procure your happiness; which it will never repent us to have written, if the reading thereof shall at leastwise stir some sparks of catholic religion in the heart of so great a prince, who we desire may enjoy eternal comforts, and flourish with the glory of all virtues. Given at Rome, in the palace of St. Peter, the twentieth of April, 1623, in the third of our pontificate[1]."

When the nuncio delivered this letter, the prince replied,—"I kiss his holiness's feet for the honour and favour he doth me, so much the more esteemed, by how much the less deserved of me hitherto. And his holiness shall see what I do hereafter: and I think my father will do the like; so that his holiness shall not repent him of what he hath done[2]."—He then wrote as follows:—

"Most Holy Father,

"I have received your holiness's letter with such

[1] [MS. formerly in Douay college, and now in the possession of the dean and chapter.—*T.*]

[2] [Ibid.—*T.*]

thankfulness and respect, as is due to the love and piety with which your holiness wrote it: and especially, it gave me much delight to view the never-enough-praised examples of my ancestors, your holiness set before my eyes to imitate: who although it be true that they often adventured and put their estates and lives in danger, for no other reason than the propagation of the christian faith, yet their courage hath not been greater in setting upon the enemies of the cross of Christ with open war, than shall be my care that peace and unity, which have been of long exiled from the christian commonwealth, may be reduced to a true concord. For, as the common enemy of peace and father of discord hath laboured in sowing hatred and dissension amongst christian princes, so do I deem it a labour of glory to Christ, to procure their union: neither do I esteem it a greater honour to descend from such renowned princes, than to be an emulator in imitating their holy and religious manners, wherein they flourished. And the knowledge I have of the king my lord and father's pleasure, and his earnest desire with all his forces to further this intention, doth much assist me: for it grieveth him sore to consider the great and cruel misfortunes and slaughter, which have followed the discord of christian princes.

"The feeling which your holiness hath, and the judgment with it, of my desire in the treaty of alliance with the catholic king, by means of marriage with his sister, is most conformable to your holiness's charity and great wisdom: for it is most certain, I would never so earnestly procure to tie myself with the strong bond of marriage unto a person whose religion I could not endure. Wherefore, let your holiness be persuaded that my mind now is, and always shall be, far from plotting any thing contrary to the Roman catholic religion: nay, rather, I will seek occasions universally to blot out of the minds of all men the suspicions which might be held of me; that, even as we all acknowledge one God in Trinity and Unity, and one Christ crucified, in the same sort, we may all profess one and the self-

same faith. And, to obtain this, I will refuse no labour, although therein I hazard both my life and kingdoms.

"It resteth only that I acknowledge, for a most singular benefit, the letter which your holiness vouchsafed to send me, and that I beseech God to protect your holiness, and to give you in this life happy success, and in the next the felicity I desire.

CHARLES STUART[1]."

To accelerate the dispensation, on the king's part, the catholics were treated more mildly in England, and several instances of clemency shewn, in the execution of the penal laws; which was hugely displeasing to the generality of the protestants, who began to be very open in declaring against the match; and lampoons were scattered abroad every day against those that promoted it. Among others, a bitter letter was handed about, said to come from archbishop Abbot, which railed at the present proceedings of the court, and made the king designing to establish a toleration, which by degrees would ruin the church by law established[2]. However, the treaty went on; a dispensation was obtained; and something was promised for the ease of the catholics[3],—[when, partly from the arrogance of Buckingham,

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[1] [I have printed this letter, as Dodd has printed it, from a MS. translation formerly belonging to Douay college, but now in the possession of the dean and chapter. The reader will have remarked that, in first introducing it, Dodd speaks of its contents as a matter of "civility": Nalson also (i. Int. liv.) and others have wished to regard it in the same light; but lord Clarendon, writing to secretary Nicholas, in February, 1647, candidly admits its real character. "The letter to the pope," says he, "is, by your favour, more than compliment; and may be a warning that nothing is to be done or said in that nice argument, but what will endure the light" (State Papers, ii. 337).—There are considerable variations in the several copies of the letter circulated at the time. The original Latin, printed by Lord Hardwicke from the prince's own draft, will be found in the Appendix, No. LIII. I may add that, when it arrived, Gregory, to whom it was addressed, was dead, and that it was the first letter delivered to his successor. Urban's letter, post.—*T.*]

[2] [For Abbot's letter see Appendix, No. LIV.—Of the other publications to which Dodd alludes, the tract entitled *Vox Populi*, by Scot, a preacher, and relative of the earl of Strafford, was probably the most powerful. It was suppressed by the royal authority; but was subsequently reprinted, and has now been placed, by sir Walter Scott, among the Somers' Tracts, ii. 508—524.—*T.*]

[3] [Dodd's own narrative is continued in the subjoined passage, for which I have substituted what follows in the text.—*T.*]—"'Rushworth has given us some private articles, sworn to by king James and the prince, greatly to the

partly from the anxiety of the Spanish minister to profit by the presence of Charles, and thus to gain additional concessions from the English crown, a jealousy arose, which ultimately overthrew the negotiaton, and at length involved the country in a war.

The dispensation, which had been signed on the eleventh of April, was despatched to the nuncio Massimi, at Madrid, on the evening of the following day. It had been accelerated by the news of the prince's journey, and by a desire to place it in the hands of the Spanish monarch, and thus to enable him to conclude the treaty, the moment that more favourable terms should be obtained. But the courier, who conveyed it, had scarcely departed, when a letter from Massimi announced a change in the counsels of the Spanish government. The conduct of Buckingham, it was said, had offended Olivarez; the continuance of the negotiation had become a matter of indifference; and hence the minister had already commissioned an agent to appear for him in Rome, and to retard, if not to oppose, the grant of the dispensation[1]. To meet the difficulty thus unexpectedly created, the cardinal Ludovisio, who

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advantage of the Romanists in England: but of these Nalson justly doubts, as being too much void of proof, as well as probability' (Echard, i. 966). The greatest demur was upon account of the palatinate, which the Spaniards said they could move no further in, than as advisers. The prince now looked upon himself as actually married. The infanta was commonly called the princess of England, and the time appointed for this grand ceremony; nay, the very servants were named, who were to compose their family. But pope Gregory the fifteenth dying, before the dispensation he granted was made use of, there arose a question, whether it was valid in law: so the marriage was put off, till another could be obtained. In this interval, the duke of Buckingham in a manner abruptly leaves the court of Spain, and embarks for England; and, a little after, was followed by prince Charles; the earl of Bristol being left behind, as it was said, to stand as proxy for his highness, when the second dispensation should arrive. The prince being returned home, nothing was left unattempted, to break off the match; and, as it was thought, the king began to grow cool upon the matter, upon the duke of Buckingham's misrepresenting the Spaniards' proceedings. The party against the match had now time to gather more strength; and they were so industrious as to make it become a parliamentary affair; which, with continual petitions against popery, and the dangerous consequences they apprehended from such an alliance, which they took care to represent in the most formidable appearances, at last obliged the king to put an end to the treaty; the parliament, which met, February 19, 1624, in a manner insisting upon it."

[1] ["Aggiustati che furono i sopradetti articoli, portati a Roma dal Fuentes, il cardinale Ludovisio sollecitò papa Gregorio a spedire il breve della dispensa,

had procured and despatched the instrument, immediately addressed two additional letters to the nuncio. In the first, which was intended as a private instruction, the writer complained of the embarrassment into which he had been thrown, by the conduct of the Spanish cabinet. The existence of the dispensation, he said, was known to the British envoys; and to suppress or conceal it, therefore, was now impossible. But its contents, fortunately, had not been revealed: the conditions which it contained might be insisted upon; others might also be appended to it; and, by a skilful management of the difficulties that would thus arise, the negotiation might still be protracted, at the pleasure or the convenience of Olivarez. The other letter was intended to be made public. Though written on the eighteenth of April, it was antedated on the twelfth, to give it the appearance of having accompanied the dispensation. It contained the supplementary conditions, alluded to in the private despatch. By these, the pope, so it was made to appear, demanded additional securities for the catholic worship in England: he required the Spanish king to exert himself in procuring the conversion of his intended brother-in-law; and he forbad the nuncio to part with the papal breve, unless Philip should first swear, both for himself and for his successors, that they would obtain from the English monarch, with the consent of his council and of his parliament, entire liberty of conscience for the British catholics[1]. There is no doubt

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come seguì sotto gli 11 di Aprile, 1623, e, la notte seguente, per corriere espresso fù inviato in Ispagna, a monsignore de Massimi, vescovo di Bertinoro, allora nunzio: ma, appena spedito il detto corriere, sopragiunsero lettere contrarie del medesimo nunzio, quasi che gli Spagnoli non si curassero più di tal dispensa, nè che il negozio andasse avanti; e che, per tale effetto, il conte-duca d'Olivarez, adombratosi col Bocckingam, avrebbe spedito a Roma persona espressa, se non per impedire, almeno per ritardare la prefata dispensa." MS. Life of Urban the eighth, in the Barberini Library at Rome, vol. 2. cap. 6. This work, which extends to ten large folio volumes, including two of documents, was written by the abbate Andrea Nicoletti, at the request of cardinal Francisco Barberini, and is little more than a faithful abridgment of an immense mass of original and other papers, supplied by the cardinal for the purpose. As I shall have frequent occasion to cite this work, I shall refer to it briefly as "*Barberini MS.*"—*T.*]

[1] See Appendix, No. LV.

that Gregory was wholly ignorant of this proceeding. Still, it answered the purpose of the Spanish minister: it placed the control of the negotiation in his hands; and furnished him with the means of prolonging the discussion, even when the real articles of the match had been concluded and signed[1].

To those articles, as formerly agreed on, some additions had been made at Rome, with a view to secure the English catholics from the operation of the penal laws[2]. At first, Charles was disposed to resist the alteration: by degrees, however, his objections were overcome; and, after some debate, two treaties, one public, the other private, were drawn up, and transmitted to England for the royal signature. The first of these differed little from the former compact. It provided that the marriage should be celebrated in Spain, and afterwards ratified in England: that the infanta and her family should possess an oratory within the palace, and a chapel in the immediate vicinity of

July 26.

[1] [What the pope really required, beyond the articles attached to the dispensation, was contained in a separate letter,—that the nuncio should not part with the breve, without a written promise from Philip, to the effect that both himself and his successors would use their best endeavours to enforce the observance of the articles; and that no person should be appointed to the service of the infanta, who was not a catholic:—"Sua santità espressamente commendava ch'egli (il nunzio Massimi) non consegnasse il breve della dispensa nè al rè cattolico, nè a suoi ministri, nè ad altri, se prima non otteneva le seguenti cose:—E primieramente, perchè la sede apostolica non aveva alcuna sicurezza che fossero per osservarsi i capitoli, voleva sua beatitudine che il rè cattolico, in nome suo e de' suoi successori, promettesse espressamente a sua santità ed alla santa sede, per quanto fosse in suo potere, l'osservanza di essi, con una cedola reale, nella quale fossero inseriti, *de verbo ad verbum:* E se ne' capitoli si trovasse alcuna cosa, che non si volesse far vedere in pubblico, si ponesse in un' altra cedola reale a parte. Di più, che il rè cattolico promettesse che, per servigio dell' infanta, non nominerebbe servitori, se non cattolici, nè sul principio, nè mai; e lo stesso promettesse anche l'infanta." Barberini MS. ibid.—*T.*]

[2] ["Dictus Magnæ Britanniæ rex, serenissimusque filius, princeps Walliæ, per suas literas privatas, et seorsim, fide et verbo regio ad observationem et executionem eorum astringentur, quæ verbo sæpe ministris catholicæ majestatis promiserunt, neminem scilicet catholicorum, sive sæcularium, sive regularium, in suis regnis persecutionem, ullamve molestiam, imposterùm passurum, ex eo quòd religionem catholicam apostolicam Romanam profiteantur, nec propter exercitium quorumcumque sacramentorum ac ministeriorum, etiam ecclesiasticæ sepulturæ, præfatæ religionis, modò tamen illis utantur privatim, vel in oratorio, vel in ecclesiâ publicâ serenissimæ infantæ; et ampliùs ullo modo juramentis, aliove prætextu religionis catholicæ vexabuntur nec in bonis, nec in personis." Addition made to the articles in Rome, apud Barberini MS. ibid.—*T.*]

the royal residence, for the free exercise of their religion: that twenty-four chaplains, living under the canonical superintendence of a bishop, and all either Spaniards, or natives approved by the king, should be appointed for her service: that the nomination of her household should rest exclusively with the Spanish monarch; and that her children of either sex should remain under her care, until the age of ten years. The private treaty, which had been suggested by the pope, embodied also the substance of what the pope had required. It stipulated that no law, affecting the religion or the consciences of catholics, should thenceforth be executed: that, in private houses, through the whole of the three kingdoms of England, Scotland, and Ireland, the catholic worship should be tolerated: that no attempt, direct or indirect, private or public, should be made, to withdraw the infanta from her religion, or to disturb her in its profession; and, finally, that the king would not only exert himself with his parliament to procure the repeal of all existing statutes against the ancient faith, but that he would further refuse his assent to any future enactment, which might appear to militate against the liberty of his catholic subjects. When James read these articles, his heart at once misgave him. To promise an abrogation of all laws against religion, was, in his opinion, to offer only an encouragement to excess: to engage himself for the acts of his parliament, or to undertake to interfere with its proceedings, was as much beyond his power, on the one hand, as, on the other, it was contrary to his inclination. After some days of perplexity and doubt, he summoned
July 13. the principal members of his council, and demanded their advice. The reply was, that, as he had pledged himself to ratify the engagements of the prince, so he was bound in honour to subscribe the articles. But the monarch still hesitated: he was required, he said, to promise what he was unable to perform: and, to elude the difficulty, therefore, he drew up and signed a protestation, declaring that, by the oath which he was about to take, he did not mean to

deprive himself of the right to enforce the laws against those who should disturb the state; that he might safely swear to procure the abrogation of the penal statutes, because it was impossible for him to accomplish it; and, finally, that he should not consider himself bound by his present engagement, unless the marriage between his son and the infanta should take effect. On the following Sunday, the representatives of Spain were summoned to the royal chapel at Westminster. (July 20.) There the public articles were read. First, the lords of the council, afterwards James himself, swore to their observance: and, in the evening of the same day, the king alone, proceeding to the house of the Spanish ambassador, solemnly pledged himself to the remaining part of the treaty[1].

In the mean time, a fruitful source of vexation and delay had been opened by the craft of Olivarez. On the plea that the royal conscience was concerned in the negotiation, a committee of divines had been ordered to assemble: each question, as it arose, was submitted to their consideration; and, in accordance with their decision, it was finally presented to the prince. It was by them that the articles contained in the secret treaty had been framed: by them also it was further determined that those articles, when ratified by the English king, should receive the special approbation of the pope; that, on the arrival of the papal sanction, the espousals should take place; but that, with a view to test the sincerity of James in his promises of indulgence to the catholics, the consummation of the marriage and the delivery of the infanta should be deferred until the following spring. (June 2.) Against the latter part of this arrangement Charles had protested from the first: but, though Olivarez affected to second his remonstrances, the decision remained uncancelled: Philip, who, it was pretended, must pledge himself for the

[1] [Hardwick Papers, i. 414, 416, 420, 428—440. Prynne, 40—48. See Appendix, No. LVI.—Abbot, notwithstanding his letter, signed the articles with the other counsellors. Hardw. Pap. i. 428.—*T.*]

fidelity of his English brother, insisted on its adoption[1]; and the prince, therefore, without any intention to abide by his engagement, at length appeared to wave his objections, and agreed to accept the terms of the
July 29. { Spanish government. On the twenty-ninth of July, he wrote to his father, declaring that he would enter into no contract of marriage, on the proposed conditions, and requesting a peremptory order
Aug. 4. { for his return to England[2]: only six days later, he subscribed the articles which had been ratified by James: he further undertook to procure the abrogation of the penal laws within three years, and an extension of the mother's guardianship of the children to the age of twelve: and he finally bound himself by a solemn oath not only to fulfil these stipulations, but also to accept the sentence of the divines, and to regulate the periods for the contract and the marriage by their decision[3].

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[1] [This is plain from the fact that Charles, as a means of eluding one part of the difficulty, proposed to make application to Rome, that Philip might be relieved from the necessity of thus engaging himself:—"And lastly, to send to Rome, to persuade the pope to dispense with this king's oath, since your majesty, your son, and your council, hath agreed to that, for which that oath was required." Hardwick Papers, i. 427. See also Howel, 128, 129; and Prynne, 39.—*T.*]

[2] ["If they will not suffer her to come till the spring, whether we shall be contracted or not, we humbly beseech your majesty to leave it to our discretions, who are upon the place, and see things at a nearer distance and a truer glass, than you and your council can there; for *marriage there shall be none, without her coming with us:* and, in the mean time, comfort yourself with this, that we have already convinced the condé of Olivarez in this point, that it is fit the infanta come with us, before winter. He is working underhand with the divines, and, under colour of the king's and prince's journey, makes preparation for hers also. * * There remains no more for you to do, but to *send us peremptory commands to come away, and with all possible speed.*" Hardwick Papers, i. 432.—*T.*]

[3] [Hardw. Papers, i. 419, 422, 425. Prynne, 46, 47. Howel, 129. Clarendon Papers, i. Append. xxiv.—After he had sworn to the treaty, the prince still continued to importune Philip "to see if he could move them to send the infanta before winter. They, for form's sake, called the divines, and they stick to their old resolution" (Hardw. Papers, i. 448). The truth is, that, from the intelligence conveyed in the despatches of his ambassador Inoyosa, Philip had reason to mistrust the sincerity of the English king; and was the less likely, therefore, to yield to the entreaties of Charles, on this subject.—"Cottington arrived here, the fifth of this month, late at night; whose coming, we hoped, would have made a great alteration to the better, in our business: but we find that they here believe the marquess Inoyosa's intelligence better than all your

It was now that, for the first time, the death of Gregory the fifteenth was announced to him as an obstacle to the immediate completion of the treaty. The news of that event had reached Madrid on the twenty-fourth of the preceding month: but it had been confidently asserted that no delay would be created by it, in the progress of the match[1]; and, on the ratification of the articles, therefore, the eighth of September had been fixed for the ceremony of the espousals. The day was approaching, when Philip, proceeding in person to the prince, informed him that they had been mistaken; and declared that, as the dispensation granted by the late pontiff had not been used, it would be necessary to wait until its confirmation could be obtained from his successor[2]. Charles replied by producing the letter of recal, which he had solicited and received } Aug. 22.

majesty's real proceedings. But, we beseech you, take no notice to the marquess Inoyosa of his juggling (for he has written hither contrary to his professions), until we wait on you" (ibid). However, though he persisted in retaining his sister until the spring, Philip consented to modify the other part of the treaty, and agreed that, if Charles were in Spain at Christmas, the marriage should then be consummated (see Appendix, No. LVII).—I will only add, in reference to the charge here levelled against Inoyosa, that both Charles and Buckingham, the writers of the letter, seem to have been deceived; and that, whatever may have been the sincerity of James's intentions, which must be questionable, the proceedings of his ministers, and particularly of the chancellor, Williams, were so dishonest, as to justify any representation which the ambassador may have made to his own court. See Hacket's praises of the disgraceful artifices adopted by Williams, to deceive Inoyosa, and to counteract the instructions of the king, i. 155—159.—*T.*]

[1] ["Yesterday, we had news of the pope's death: but this king, out of his own mouth, and the condé de Olivarez, and the nuncio, do assure the prince that this accident will neither make alteration nor delay in his business; they being all of opinion that it will be despatched by the dean of the cardinals and the conclave." Bristol to Cottington, July 25, 1623, apud Prynne, 49.—*T.*]

[2] [The real cause of this proceeding lay in the unsatisfactory state of the articles. At first, the nuncio really thought that no difficulty would result from the demise of Gregory; and appears to have intended to deliver the dispensation granted by that pontiff. When, however, the articles had been ratified, he found that several of the alterations made in Rome had been omitted; and, unwilling therefore to proceed, under such circumstances, he withheld the dispensation, and wrote home for further instructions:—"Era morto, in quel mentre, papa Gregorio, ed il nunzio Massimi, scorgendo che le parti non si erano conformate totalmente con gli articoli emendati in Roma, non volle consegnare il breve della dispensa, ma inviò a Roma, in forma autentica, tutti i sopradetti atti delli due rè e del principe, attendendo nuovi ordini" (Barberini MS. ut sup.)—I may add, that, on the arrival of Massimi's letter, the new pope, Urban the eighth, who, as cardinal, had taken an active part in forwarding the

from England; and Philip, unable to divert him from his resolution of departing, at length proposed to adopt a new arrangement for the marriage. It was now agreed that the espousals should take place, within ten days after the receipt of the papal answer: Philip and his brother Carlos were appointed to represent the prince on the occasion; and a procuration, containing full powers for that purpose, was drawn up, and deposited in the hands of the earl of Bristol, to be delivered to the king, as soon as the pope's approbation should
Sep. 7. arrive[1]. Each party then solemnly swore to the observance of the former treaty. The infanta, who had previously adopted the title, assumed the rank and privileges, of princess of England; and, after an affectionate farewell to Philip and his court, Charles, in
Sep. 9. company with Buckingham, once more embarked, on his return home[2].

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negotiation at Rome, instantly referred it to the congregation, and gave directions for the immediate despatch of the affair. Unfortunately, a sudden illness for some weeks incapacitated the pontiff from attending to it himself: but, as soon as he recovered, the business was resumed; a letter of instructions was forwarded to the nuncio; and a hope was expressed that, before it could arrive, the dispensation would have been published, and the marriage completed:—"Se, in questo tempo, nel quale dalli 26 di Agosti in quà non ci sono arrivati altri dispacci appartenenti a questa materia, il signore principe avrà giurati tutti gli articoli mandati da Roma, V. S. conforme agl' ordini di papa Gregorio, dovrà, a quest' ora, aver pubblicato il breve della dispensa; ed a noi non toccherebbe da far altro, che pregar la divina misericordia a secondare, con prosperi successi, quelle speranze che persuasero a concederla" (Despatch from cardinal Barberini to the nuncio Massimi, Oct. 25, 1623, in the Barberini MS.). At the same time, Urban addressed two letters, one to James, the other to the prince, expressing his own satisfaction at the prospect of the intended marriage, and urging their return to the ancient faith of their country. They were written at the suggestion of Olivarez,—"Sperando, conforme a che gli suggerì il signore conte d'Olivarez, che possano esser loro non solo di consolazione, ma anche di profitto." Barberini MS. ut sup. See Appendix, No. LVIII.—*T.*]

[1] ["His highness left powers for the marrying of the infanta, *per verba de præsenti*, which powers were made to the king and his brother, don Carlos, but left with me, to be delivered upon the arrival of the pope's approbation. * * The first of the temporal articles is, that the *desposorios* shall be within ten days after the arrival of the pope's approbation." Bristol to James, Sep. 24, 1623, *Stil. Vet.*, in the Hardwick Papers, i. 481, 482. The Procuration is in Prynne, 50, 51. See also Hardw. Papers, i. 447; Howel, 129 and Rushworth, i. 103.—*T.*]

[2] [Somers' Tracts, ii. 541—550. Cabala, 358. Hardw. Papers, i. 427. "The infanta is now by all the court, and by this king's approbation, called *La Princessa de Inglaterra;* and she makes not nice to take it upon her. She now cometh publicly to the comedy, and sitteth by the queen; and I am told that,

In the mean while, the catholics in England were already beginning to feel the beneficial consequences of the late agreement. Aware of its importance to the success of the negotiation, Charles had long since entreated his father to consider this portion of his subjects, and to enter at once on that course of toleration, to which by his intended oath he would shortly be bound. As soon as the articles had been signed, Colonna and Inoyosa, the ambassadors of Spain, pressed the matter more immediately on the attention of the king. In reply, James offered a general pardon for all past offences on the score of religion, and a protection, for the time to come, against all punishments under the penal statutes. The ambassadors, however, demanded a proclamation: James maintained that a proclamation would be insecure in law, and dangerous from its tendency to provoke the people; and, with a view, therefore, to let the royal favour "slide in by the more silent way of pardon and dispensation," it was finally agreed that letters to the intended effect should be prepared under the great seal, and that instructions should be forwarded to the judges, magistrates, and bishops, forbidding them to put the laws in force against the catholics[1]. To the vexation of Inoyosa and his companion, the chancellor, though he readily passed the letters of dispensation, objected to execute the other part of the arrangement. He said that a prohibition of this nature was without precedent in the kingdom; that the judges and other officers were bound by their oaths to the execution of the laws; and that, at all events, it would be more prudent to wait until after the arrival of the infanta, than, by heedlessly precipitating the measure, to endanger

Aug. 4.

as soon as two papers, which are already drawn, are signed by the king and prince, they will give her the right hand of the queen, which, I conceive, the prince will not be displeased withal; for, by that means, it will fall out that the prince and his mistress will ever sit together" (Bristol to Cottington, July 25th, 1623, apud Prynne, 49).—"When the king and he parted, there passed wonderful great endearments and embraces, in divers postures, between them, a long time; and, in that place, there is a pillar to be erected, as a monument to posterity." Howel, 131. See Appendix, No. LIX.—*T.*]

[1] Hardwick Papers, i. 419, 420, 430, 436—439. Rushworth, i. 288.

the general peace of the country[1]. If we may believe Williams, the ambassadors themselves ultimately assented to this reasoning. A middle course was therefore
Sep. 8. { adopted. A form of pardon was drawn up, with immunity from all future penalties, and a license for the free exercise of religion in private houses; a clause was inserted, requiring the judges and justices to respect this intimation of the royal will; and a letter was written to the chancellor, enclosing the pardon, and ordering him to issue it to all persons, priests as well as laymen, who should apply for it, within the next five years. The first individual, who profited by this measure, was Preston, the superior of the benedictines, and the great advocate of the oath of allegiance. The favour extended to him was eagerly anticipated by

[1] ["Their general pardon we have passed, and sent unto his majesty (from whence it is not returned), in as full and ample manner as they could desire and pen it. The other general and vast prohibition I prevailed with the rest of the lords to stop as yet, and gave, in three days' conference, such reasons to the two ambassadors, that, although it is no easy matter to satisfy the capriciousness of the latter of them (Inoyosa), yet they were both content it should rest, until the infanta had been six months in England" (Williams to Buckingham, in Cabala, 297, where his arguments against the measure are detailed).—Of this letter, however, it should be remarked that Hacket, who praises it as a happy mixture of "cunning" and "conscience," declares that it was written for the express purpose of preparing the prince against the expected complaints of Inoyosa. He tells us that delay was the only object of the English minister; and he actually boasts that the proceeding, here alluded to, formed part of a great system of fraud, established between James and the chancellor, with a view to deceive the Spanish government (i. 155—159)! As regards Williams, indeed, there can be no doubt that, in seeking to defer the execution of the proposed measure until the infanta should have arrived, his real design was, to gain time, and, when deception should no longer be necessary, to throw off the mask, and boldly avow himself the abettor of persecution. His interview with Carondelet, in December, 1622, will be in the recollection of the reader. On that occasion, he assured the archdeacon that there was no objection to the appointment of a bishop *in partibus* to preside over the English catholics: he acknowledged that such an appointment was desirable on many accounts; and he distinctly added that, so far from meriting his disapprobation, it had his entire and unqualified approval (Appendix, cclviii. cclix). Yet, no sooner had the measure, of which he had thus spoken, been carried into effect, than he could address Buckingham with the following heartless declaration,—"Dr. Bishop, the new bishop of Chalcedon, is come to London privately; and I am much troubled thereabouts, not knowing what to advise his majesty, in this posture, as things stand at this present. *If you were shipped, with the infanta*, the only counsel were, to let the judges proceed with him presently, *hang him out of the way*, and the king to blame my lord of Canterbury or myself for it: but, *before you be shipped in such form and manner, I dare not assent or connive at such a course.*" Cabala, 298.—*T.*]

others; and the catholics were already looking forward to the enjoyment of repose, when a rumour, as to the probable failure of the projected marriage, once more filled their minds with anxiety and alarm[1].

It is more than probable that, when Charles quitted Madrid, he had already in intention renounced the very marriage, which he had so lately and so solemnly sworn to contract. By a clause in the procuration, it was specially provided that the instrument should remain in force until Christmas, but not longer; and that, in the mean time, the prince should not be permitted either to recal or to alter it in any of its parts. Yet he had scarcely entered on his journey, when, by his orders, Clark, a dependent of Buckingham, suddenly returned to Madrid. He was the bearer of a despatch to the earl of Bristol; but he was to conceal the purpose of his journey, and he was not to deliver the letter, until the approbation from Rome should have arrived. A mistake, however, led him to anticipate his commission; and Bristol, when he opened the despatch, found that he was forbidden to part with the procuration, until

[1] [See Appendix, No. LX.—The pardon to Preston, which was drawn up "as the limitation and rule to the form of all the rest" (Conway to Williams Sep. 8, apud Hacket, i. 158), had been preceded by a general warrant, signed two days before, for the discharge of all priests confined on the score of religion. But the great object was, to satisfy the importunity of the Spanish ambassadors; and, as it was hoped that the release of Preston would be taken as a sufficient earnest of the mercy that was to be extended to his fellow prisoners, the former warrant was ordered to lie dormant, until the issue of the proceedings in Spain should be known. On the sixth of September, Conway wrote to the lord keeper as follows:—

"Right Honourable,

"His majesty hath signed the warrant that was sent for the enlarging of the priests out of prison, that he may shew the reality of performance on his part, in all that is to be done. Yet his majesty commits the warrant to your keeping, without further use to be made, save only to pass the great seal (which you may be pleased to expedite), till important considerations be provided for and satisfied;—as, first, that his majesty receive advertisement of the marriage, or *Desposorios*: secondly, that provision be taken for those priests, that have expressed their duties to the king, either in writing in his defence, or in taking the oaths; whose protection his majesty holds himself bound to continue, and not to suffer them to incur any danger for that their conformity: thirdly, that order be taken, that such priests enlarged be not left at liberty to execute their functions publicly, or at their pleasure, but only under such limitations and restraints, as by the pardon and dispensations are provided." Apud Hacket, i. 158.—*T.*]

security should have been obtained that the infanta would not, after the espousals, retire to a convent. Of this device, so unworthy in itself, and, apparently, so unfounded[1], the object was sufficiently evident. However, the error of Clark gave the earl time to remonstrate against the proceeding. He wrote instantly both to
Oct. 21. { Charles and to his father; and he received an answer, leaving the question of security to his discretion, but commanding him to delay the ceremony of the marriage, until "one of the days in Christmas[2]."
Nov. 1. { He replied that, at Christmas, the procuration would have expired, and that, as James, in making the present order, must have been ignorant of this fact, he should still deem himself bound to deliver the proxy if required, and should proceed to the marriage, unless, within the next twenty-four days, distinct and positive orders to the contrary should arrive. Those orders came. The papal rescript had been received: Philip, relying on the assurances of his ambassadors, had pledged himself on oath for the fidelity of the English king[3]: the day for the delivery of the procuration,

[1] ["Since I understood of your highness's embarking, I have begun to speak of the doubt which your highness seemeth to make, that the infanta might enter into religion, after the *desposorios*. The countess of Olivarez broke it unto the infanta, who seemed to make herself very merry that any such doubt should be made, and said that she must confess, she never, in all her life, had any mind to be a nun, and thought she should hardly be one now, only to avoid the prince of Wales. * * * And the truth is, that I never speak of this scruple, but the countess of Olivarez falleth a-laughing extremely, and telleth me that the princess doth so too." Bristol to the prince, Clarendon papers, i. Append. xix.—*T.*]

[2] ["Your letter to the king and me, concerning that doubt I made after I came from St. Lawrence" (*the monastery of St. Lawrence in the Escurial*), "hath so satisfied us both, that we think it fit no longer to stick upon it, but leave it to your discretion, to take what security you shall think fitting" (Charles to Bristol, Oct. 8, 1623, apud Lords' Journals, iii. 643).—"We have received yours, brought us by Gresley, and the copy of yours to our dear son: * * whereupon, having ripely deliberated with ourself, and communicated with our dear son, we have resolved, with the great liking of our son, to rest upon that security, in point of doubt of the infanta's taking a religious house, which you, in your judgment, shall think meet. We have farther thought meet to give you knowledge, that it is our special desire that the betrothing of the infanta, with words *de præsenti*, should be upon one of the days in Christmas, *new style*, that holy and joyful time best fitting so notable and blessed an action." James to Bristol, Octob. 8, 1623, Cabala, 262.—*T.*]

[3] ["Il rè cattolico, sopra la sicurezza che n'aveva da' suoi ambasciatori in

and for the celebration of the marriage had been appointed: the nobility had been summoned to attend: a gallery, covered with rich tapestry, had been erected from the palace to the church; and orders had been issued for a general rejoicing through the country, when, three days only before the appointed time, four messengers, "one upon the neck of another," arrived breathless at the house of the ambassador. } Nov. 26.
They had brought the despatches, by which the fate of the treaty was to be sealed. By them the procuration was finally revoked, and another, with an enlarged term, substituted in its place[1]. Bristol himself was recalled; and instructions were given that, before his departure, he should wait upon Philip, should signify to him the necessity of deferring the contract for the present, but should inform him that the prince was ready to proceed to the marriage, so soon as his intended brother-in-law should bind himself in writing to mediate in behalf of the palatine, and, supposing this to fail, should further name the time "when the mediation should determine, and the assistance of arms begin." Philip, who had already promised the very pledge which was here required, was indignant at the manner in which the subject was now renewed. He was anxious,

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Londra, riportata dal rè Inglese, giurò, sotto il medesimo giorno delli 24 di Novembre, per l'osservanza di tutti gli capitoli per lo trattato da' medesimi ambasciatori. Questo giuramento del rè cattolico fù fatto con ogni maggior solennità, stando a sedere, con tutto il consiglio di stato in piedi, e de' grandi; ma al nunzio pontificio ordinò che si desse sedia formata come ai cardinali, con gusto e soddisfazione del medesimo consiglio e de' grandi: dopo di che, il rè con suo biglietto scrisse al nunzio, che poteva consegnare la dispensa matrimoniale al segretario Ciriça (essendosi adimpiuta la mente di sua santità), per doversi celebrare lo sposalizio, il giorno dopo la concezione della madonna; quale funzione il rè aveva ordinato che facesse il medesimo nunzio." The nuncio Massimi to Barberini, Dec. 5, 1623, Barberini MS.—*T.*]

[1] ["If we had seen the power left by our son, before our last letters, we had not written to you in the form we did, in ours of October the ninth (*eighth*), touching the time of Christmas. * * We have thought good to command our dear son to defer the present execution of the powers left, and to renew the power by another herewith sent; that there may be no fault in us nor in our son, if that king cannot give us satisfaction in the just things we desire, in so short a time in which the first power should become invalid." James to Bristol, Nov. 13, apud Prynne 58, and Clarendon Papers, i. 13. See also Aston's memorial to Philip, in Cabala, 3, 4.—*T.*]

he said, to afford every possible satisfaction to his English brother: but "to have it extorted from him by menace," to be told that "his sister must be rejected" unless the pledge were given, this was beyond his power to endure, nor could he, in honour, under such circumstances, return any further answer to the demand. He then commanded all intercourse with the infanta to cease: ordered her to resign the title of princess of England; and, after another, but ineffectual, effort to restore the amicable relations of the two courts, finally abandoned the hope of completing the negotiation[1].

Dec. 26.

It was not without reluctance that James had allowed himself to be drawn into his present course: it was with equal unwillingness that he now consented to divide his prerogative, and to seek from parliament that aid, which he had expected to obtain from the portion of the infanta, and from the projected alliance with the Spanish king[2]. For some weeks after the return of the prince, he shut himself up at Newmarket, abandoned his usual recreations, and made no effort to conceal the vexation that was preying on his mind. At Christmas he returned to town; and, having summoned the principal members of his council to meet him at Whitehall, required them to deliver their opinions on the two following questions,—1°. Had the king of Spain been guilty of insincerity in the negotiation? 2°. Would his conduct on the subject of the palatinate warrant a declaration of war? On both points the decision was

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[1] [Hardwick papers, i. 483, 488, 490, 491. Cabala, 100, 107, 215, 216. Prynne, 58, 61. Clarendon Papers, i. 13. Howel, 133, 134. After several debates, he wrote the required pledge, and, having given an attested copy of it to Bristol, to be forwarded to England, engaged to deliver the original, the moment that James should by letter apply for it. The ambassadors, Bristol and sir Walter Aston, despatched the paper which they had received, and urged the king to write, in order that "the match might be speedily brought to a conclusion." No answer, however, was returned. Hardw. Papers, i. 492, 493.—*T.*]

[2] ["He submitted himself to be ruled by some, whom he should have awed with authority; but he wanted courage to bow them to his bent. * * The flies sucked him where he was galled, and he never rubbed them off." Hacket, i. 167.—*T.*]

in the negative: the lords, with the single exception of Buckingham, declared that there was no ground either to doubt the intention, or to invade the territory, of the Spanish monarch; and the favourite, thus defeated where he had expected to be victorious, instantly resolved to appeal to that parliament, which he had already prevailed on the monarch to assemble[1].

It was on the nineteenth of February, that James met the two houses. Addressing them in a tone which betrayed the dejection of his spirit, he reminded them that he had been long engaged in negotiating a matrimonial treaty; that, with a view to its completion, he had permitted his son, in the company of the man whom he most trusted, to proceed to Spain; and that if these had failed in the principal object of their journey, they had, at least, brought back such information, as would scarcely fail to render him more cautious for the future. With regard to what had passed, he said, the prince and Buckingham would themselves relate the particulars: let the houses listen to the statement, and, upon the whole matter, as thus submitted to their consideration, let them give him their sincere and impartial advice. One thing, however, he must entreat at their hands. Let them judge him charitably: let them judge, as they would wish to be judged. In every treaty, whether public or private, he had ever been careful to make a special reservation in favour of religion. Sometimes, it was true, he had connived at the temporary remission of the severity of the penal statutes: but, to dispense with any, to forbid or alter any, he had never promised or yielded. He had never thought it with his heart, nor spoken it with his mouth[2]: and he

1624. Feb. 19.

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[1] [Hacket, i. 167—169. "The conference or treaty about the palatinate was taken from the council of state, a society of most prudent men, only for this cause, that almost every one of them had, with one consent, approved the proposition of the most catholic king, and did not find in it any cause of dissolving that treaty. Hereupon, the parliament of this kingdom was procured by the duke, because he thought his plots would be most acceptable to the puritans, not without great injury to your council of state, from which he fled, and disclaimed by way of appeal." Cabala, 274.—*T.*]

[2] [Yet, to say nothing of the pardon and *dispensation* granted at the request

only prayed now, therefore, that all jealousies might be banished from amongst them; that they might compose themselves speedily and quietly to the weighty matter which he had submitted to them; and that God, in his mercy, would direct their counsels for the benefit of religion, and for the advancement of the public weal[1].

Feb. 24. Five days later, the lords and commons assembled, by special appointment, in the palace at Whitehall. Buckingham and Charles appeared before them, the former to make his statement of the proceedings in Spain, the latter to support and prompt him as he proceeded; and, on the fifth of March, an address from the two houses assured the king that, in their opinion, neither the treaty for the marriage, nor that for the restitution of the palatinate, could be continued with the honour or safety of the country[2].

March 5.

The negotiation with Spain was now virtually at an end. For a few days, indeed, James still clung to the hope of avoiding a rupture; and, whilst he demanded the means of conducting a war, was careful to enlarge on the expenses and difficulties of the undertaking.

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of the ambassadors, he had sworn to that article of the private treaty, which, as the reader has seen in the Appendix (No. LVI.), declared that no existing law enacted against catholics, or repugnant to their religion, should ever again be put in execution. If the present declaration was true, the former one, as Dr. Lingard has justly remarked, must have been a perjury.—*T.*]

[1] [Lords' Journals, iii. 209, 210. See the preceding volume of this history, 145, note.—The following passage will shew the humbled spirit in which James addressed the houses:—"My lords, it is not enough, although you are never so willing to give me your advice (for to plant will not serve turn), if, like a good gardener, I do not, as well as plant, weed away from the roots, and take away the obstacle that hinders your so happy advice in deliberating of these businesses, of which the whole weed and manifest hinderance, that can be, is your jealousy of me. Free me from that, and, for my actions, I dare avow them before God and his angels. But jealousy hath a deep sting: take away that, and nothing can do you harm. You are my wife, and jealousy is subject to a wife: therefore remove it, and be not jealous of me. For matters of privileges, liberties, and customs, be not over curious. I am your own kindly king. You never shall find me curious in these things: therefore, do what you ought, and no more than your lawful liberties and privileges will permit, and ye shall never see me curious to the contrary. I had rather maintain your liberties, than alter them in any thing. Shew a trust in me, and go on honestly, as you ought to do, like good and faithful subjects; and what you shall have warrant for, go on; and I will not be curious, unless you give me too much cause." Journals, 210.—*T.*]

[2] [Lords' Journals, iii. 220—247, 250. Commons', i. 672.—*T.*]

But the resolution of the houses was not to be shaken. Hostilities, it was determined, must be commenced. A general offer of support with person and fortune was followed by a special vote of £300,000, to begin the war; and the monarch, at last, unable to resist, signed and despatched the document which declared that the treaties with Spain were dissolved[1]. Mar. 24.

James had scarcely completed this transaction, when a petition, referring to the maintenance of the war, and denouncing the catholic clergy as the "professed engines of Spain," the laity as a body of traitors, against whom it was prayed that the laws might instantly be put in execution, was prepared by the commons, and transmitted to the lords for their concurrence. The language of this address naturally alarmed the king. He foresaw that, by connecting religion with the hostilities, in which he was about to engage, he should arm every catholic state in Europe against him; and he wrote therefore instantly to Conway, expressing his displeasure at the petition, declaring that he was determined to enter into no war of religion, and ordering the secretary either to stop the post which was to convey the dissolution of the treaties to Spain, or, if it had already departed, to despatch a messenger, who might overtake it, and prevent it from proceeding on its journey[2]. With the immediate result of this order we are unacquainted. By the influence of James, however, the obnoxious petition was withdrawn, and another substituted in its place: a simple prayer for the execution of the statutes against priests and recusants April 3. April 10 and 23.

[1] [Lords' Journals, iii. 250, 259, 261, 265, 275. Commons', i. 770.—*T.*]

[2] [The following is the letter, addressed by James to the secretary,—"I doubt not but you have heard what a stinging petition against the papists the lower house have sent to the higher house, this day, that they might jointly present it unto me. Yet, know my firm resolution not to make this a war of religion: and seeing I would be loath to be conycatched by my people, I pray stay the post that is going to Spain, till I meet with my son, who will be here tomorrow morning. Do it, upon pretext of some more letters you are to send by him; and, if he should be gone, hasten after him, to stay him, upon some such pretext: and let none living know of this, as you love me. And, before two in the afternoon tomorrow, you shall, without fail, hear from me. Farewell. James R." Rushworth, i. 140.—*T.*]

was preferred; and the king, having assured them in reply that "the encrease of popery was as thorns in his eyes and pricks in his sides", proceeded to promise that the laws should be strictly enforced; that a proclamation for the banishment of all missionaries by a certain day should be issued; that the judges and magistrates should be admonished to be vigilant in the execution of their duty; that the lord mayor should be commanded to arrest all persons coming from mass in the houses of the foreign ambassadors; and that measures should be adopted, with the advice of the bishops and the council, for the education of the children of catholic recusants in the doctrine and discipline of the reformed church[1]. These promises, however, though immediately performed[2], were insufficient to satisfy the intolerance of the commons. At the commencement of the session, they had passed a resolution, that any member, who should retain a catholic servant in his employ, should be expelled the house[3]: they now required each member to state the names of all catholics, or suspected catholics, holding office or employment in the country; and they ordered all lieutenants and justices of the peace to furnish the house with similar information. Two lists were thus obtained, one of persons reputed to be recusants, or noncommunicants, themselves, and the other

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[1] [Lords' Journals, iii. 291, 298, 317. Commons', i. 756. See Appendix, No. LXI.—*T.*]

[2] ["And whereas it was hoped that his highness would have reversed or suspended the proclamation for the banishing of priests, the event proved quite contrary: for, the day before the expiration of the time assigned for priests to depart the land, his majesty called all the judges before him, and strictly commanded them to execute with rigour all the old laws made against recusants. This he did, on Sunday last, the thirteenth of this month, and the fourteenth was the last of the days, which were allowed to priests to prepare themselves" (Colleton to More, June 25, 1624, Original in my possession).—The real motive of this proceeding is thus stated by Lord Kensington, whilst negotiating the match with France,—"I dealt plainly with the marquess de la Vieuville, touching the course that his majesty may be driven to hold against jesuits and priests, of banishing them the kingdom, and of quickening the laws against other catholics, as well out of necessity of reducing them within the bounds of sobriety and obedience, as *of keeping good intelligence with his parliament*, without which he could not possibly go through with such a weighty work (*the French treaty*) as he is now to undertake." Cabala, 316.—*T.*]

[3] [Commons' Journals, i. 718.—*T.*]

of those, whose wives, children, or servants, were liable to the same charge. A petition was then drawn up: the "insolence" of the catholics generally, and the danger of "putting the power of arms" into the hands of these persons in particular, were set forth; and the king was earnestly entreated to comfort the true and loving portion of his people, by removing these unworthy objects from all commissions of the peace, and from all places and offices of dignity or trust. James heard the petition, and disregarded it: but it had shewn the temper of the parliament, and had taught the catholics to look with dread on the prospect, which had now opened before them[1].—*T.*] May 20.

Thus ended that famous treaty, which had been carrying on, near six years, by agents, and which the prince himself had followed in person, during the six months he remained at the court of Spain: "but whether the English or Spanish court gave the first occasion for the rupture, is somewhat uncertain[2]." Several conjectures have been made upon the matter. Some pretend the Spaniards were never sincere in the cause; but only made use of it to amuse king James, and spin out the affair of the palatinate. Others attribute it to the importunity of the major part of the people of England, who were irreconcilable to the match. A third sort, I meet with, tell us that, as the duke of Buckingham was the first projector, so he spoiled the whole affair, out of a private pique he had against count Olivarez, chief minister of state to the king of Spain; and afterwards set up the treaty with France, by way of revenge. Thus politicians walk through mysterious paths, and the springs they move by are concealed from the eyes of the world. The interest of a nation depends upon the capricious humour

[1] [Lords' Journals, iii. 394—396. Commons', i. 754, 776, 791. "The catholic party is much dismayed. * * Some think the parliament will break up shortly, others that his majesty will dissolve it, as he did the last. Happy for catholics, if so it prove!" Colleton to Rant, April 29, 1624, Original in my possession.—*T.*]

[2] Collier, ii. 728.

of a statesman; and the happiness of a people is often sacrificed to private resentment. — Now, though the breaking off of this match gave great content to the parliament, yet king James could not conceal his displeasure, in being pressed by them so hard upon that subject. He told them plainly, it was a matter they had nothing to do with; and, to shew his resentment, dissolved them in anger[1].

No sooner was a resolution taken to break off the treaty with Spain, but another marriage was proposed, between the prince and Henrietta Maria, sister to Louis the thirteenth, king of France, and daughter to Henry the fourth[2].

[The negotiation for this match may be said to have commenced almost as soon as Charles had returned from Spain; when Lord Kensington was despatched to France, but without any diplomatic or official character, for the purpose of sounding the disposition of the French court. His report was favourable. The queen-mother, delighted at the prospect of an alliance with England, promised him success: the princess herself was unable to conceal the pleasure with which she contemplated it: and, as soon as the treaty with Spain was finally dissolved, Kensington, who had been joined by the earl of Carlisle, was formally commissioned to make proposals of marriage on behalf of the prince[3]. The offer

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[1] [It is scarcely necessary to remark that all this is a mistake. Dodd has confounded the present parliament with that which was dissolved by James, in January, 1622.—*T.*]

[2] [Dodd's narrative continues thus,—" It had been concluded in November, 1624, but not consummated until after king James the first's death, which happened, March 27, 1625. They were married by proxy, the first of May following."—In the place of this, I have substituted what follows in the text.—*T.*]

[3] [Cabala, 311—319. The following is Kensington's account of Henrietta, —" The impressions I had of her," says he, " were but ordinary, but the amazement extraordinary, to find her, as I protest to God I did, the sweetest creature in France. Her growth is very little, short of her age, and her wisdom infinitely beyond it. I heard her discourse with her mother and ladies about her, with extraordinary discretion and quickness. She dances, the which I am a witness of, as well as ever I saw any creature. They say she sings most sweetly; I am sure she looks so."—And again,—" She could not contain herself from a passionate desiring to see your picture; and knowing not by what means to compass it, it being worn about my neck (for though others, as the queen and princesses, would open it and consider it, yet durst not this poor young lady look

was readily accepted by the French king; and commissioners were immediately appointed to arrange the terms of the contract with the English envoys. After some debate, it was agreed that the marriage should be celebrated in France, according to the forms of the catholic ritual, and in the same manner as that between Henry the fourth and Marguerite de Valois; that, on the arrival of the royal bride, it should be publicly ratified in England; that she and her attendants, with their families and followers, should enjoy the free exercise of their religion; that to this end she should be provided with chapels, oratories, and chaplains, in the same manner, and with the same privileges, as those conceded to the infanta; that her portion should be eight hundred thousand crowns, one moiety to be paid on the day preceding the marriage, the other within twelve months afterwards; that her children should be brought up under her care, until the completion of their thirteenth year; and that she should renounce, for herself and her descendants, all claim of succession to the French crown, and all right and title, whether by gift or otherwise, to the lands or possessions of the demesnes royal of France[1]. But a difficulty still remained to be adjusted. Hitherto, no provision had been made for the relief of the English catholics, and, consequently, no ground had been laid for the grant of a dispensation from Rome. To supply the defect, it was proposed to insert an article, binding James to extend the same privileges to his catholic subjects, which had been pro-

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any otherwise on it than afar off), at the last, she desired the gentlewoman of the house where I am lodged, that had been her servant, to borrow of me the picture, in all secrecy that may be, and to bring it unto her, saying, she could not want that curiosity, as well as others, towards a person of his infinite reputation. As soon as she saw the party that brought it, she retired into her cabinet, calling only her in; where she opened the picture in such haste as shewed a true picture of her passion, blushing, in the instant, at her own guiltiness. She kept it an hour in her hands, and, when she returned it, she gave it many praises of your person." Ibid. 312, 313.—*T.*]

[1] [Rymer, xvii. 673—676. Somers' Tracts, iv. 86—91. Prynne, 70, 71. She was to have twenty-eight chaplains, including a bishop, as the superior; and if any were regulars, they were to be permitted to wear the habit of their order.—*T.*]

mised to them by the Spanish treaty. To this, however, the monarch demurred: a secret engagement,
Nov. 18. therefore, signed by himself, the prince, and a secretary of state, was substituted in the place of the intended article; and a pledge was thus given that the catholics, freed from all molestation in their persons and property, should enjoy a greater liberty in the exercise of their religion, than they could have claimed under the stipulations of the Spanish match[1]. The negotiation now proceeded. On the twelfth of
Dec. 12 and 24. December, the treaty was solemnly ratified; and James, to manifest his earnestness in the affair, immediately issued instructions, ordering all persons imprisoned for religion to be released, and all fines levied on recusants since Trinity term to be returned; forbidding the officers of the exchequer to receive any such monies in future; and commanding the judges, magistrates, and others, employed in the execution of the laws, to forbear all further prosecutions under the penal statutes[2].

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[1] [This, in fact, was suggested and required by the pope, who, in the instructions forwarded to the nuncio Spada, had desired him to see "che il rè cristianissimo abbia dal rè Inglese, e dal principe suo figlio, un chirografo regio e valido, nel quale promettano a sua maestà cristiana di concedere a' cattolici maggior libertà di esercitare la loro religione, che non avrebbero potuto sperare dal matrimonio trattato in Ispagna; e che la voluntà loro sarà sempre che i cattolici dei loro regni vivano liberi da ogni molestia nelle persone, e ne' beni." Barberini MS.—*T.*]

[2] [Hardwick Papers, i. 535—547. Clarendon Papers, ii. append. x. See Appendix, No. LXII.—There can be no doubt that this proceeding on the part of James gave rise to the story of the Three Articles, copied by Prynne (71) from the Mercure François, and afterwards adopted by Rushworth and others. That no such paper ever existed is clear from the fact, that, when Louis, at a later period, was urging the pope to dispense with James's signature to a certain document, as an inducement to the pontiff, he laid before him a list of all the papers and engagements already signed by the king; but in it there is no allusion whatever to any such instrument. The reader will hereafter see the list, in Bethune's memorial, inserted in the next number of the Appendix. In the mean time, I may here remark that, if we are to believe the English agents, the whole of the stipulations between James and Louis, on the subject of religion, were made for the sole purpose of deceiving the pope; and that, though mutually ratified by oath, there was no intention, on either side, that they should be fulfilled. "They (*the French commissioners*) know they have left you at great liberty, if you would use it, in that condition of 'plus de liberté, qu'il eût eté accordée par les plus étroits articles d'Espagne'; the which is understood to have been granted there, with a knowledge and a resolution never to be put to

James had naturally flattered himself that, by this demonstration, he should secure the confidence of the several parties concerned in the treaty. To his surprise, an intimation from Rome, conveyed through the French cabinet, informed him that more was still expected at his hands, and that it would yet be necessary to pledge himself to certain specified concessions, in favour of his catholic subjects[1]. To this demand he instantly returned an indignant refusal. Already, he observed, he had substantially promised the very indulgences, which he was now required to subscribe; and as, on the one hand, a further engagement could add nothing to the force of his existing obligations, so, on the other, he was determined to resist every attempt to lead him into further compliances. To Spada, the papal nuncio, Louis and his council then applied. That minister had already received the breve

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the execution and performance of them" (Kensington to the prince, Clarendon Papers, ii. Append. xi.). "For the word 'liberté' in the *Ecrit particulier*, his majesty is pleased to leave that to your lordship's discretion. * * And, to speak truth, much cannot be expected from any thing that is concluded in that relative form; since your lordship can remember that the commissioners pleaded for it by this argument, that they knew not how little they obtained thereby, the bounds being locked up in his majesty's own breast; and desired it rather as a colour to content the pope, than for any great tie they thereby pretended to fasten upon the king" (Lorkin to the ambassadors, Hardw. Papers, i. 557).—With regard to the prince, in fact, he had previously declared, "and bound it with an oath, that, whensoever it should please God to bestow upon him any lady that were popish, she should have no further liberty but for her own family, and no advantage to the recusants at home" (Commons' Journals, i. 756). Yet, after all, it may be justly doubted whether these passages prove any thing beyond the duplicity of the English cabinet. Certain it is, from the letter of the lords Carlisle and Holland, that the French commissioners, before the *Ecrit secret* was signed, spoke of it as intended to be binding, and actually expressed a fear lest James should afterwards seek pretexts for evading its execution. Clarendon Papers, ii. Append. xv.—*T.*]

[1] ["This unworthy people * * are grown so indiscreetly and unreasonably presumptuous, as to impose a new treaty upon us, after a perfect treaty concluded, signed, and sworn, by his majesty, wherein, by the pope's borrowed name, they would exact not only all the dishonourable and prejudicial circumstances which, with much labour and contestation, we had avoided or rejected in the whole course of our former conferences and treatings, but would enforce no less than a direct and public toleration, not by connivance, promise, or *écrit secret*, but by a public notification to all the Roman catholics, and that, of all his majesty's kingdoms whatsoever, confirmed by his majesty and the prince his oath, and attested by a public act, whereof a copy to be delivered to the pope or his minister, and the same to bind his majesty and the prince's successors for ever" (Carlisle to Buckingham, Hardwick Papers, i. 552).—The

of dispensation[1]; and it was hoped that, without insisting on further security, he might be contented to part with it, on the faith of what had already been accomplished. In this, however, the French ministers were again disappointed. Spada had been ordered to retain the instrument, until the articles in question should have been signed by the English king; and, in obedience to his instructions, therefore, he resolutely refused to deliver it, without the required ratification[2]. Under these circumstances, Louis, as a last resource, commanded his ambassador, Bethune, to lay the matter before the pope. In a memorial addressed to the pontiff, that envoy described what had occurred, prayed that the signature of James might be dispensed with, and declared that, to supply the necessary security, his master was ready to bind both himself and his successors to employ the whole power of France, if it should be necessary, in enforcing the observance of the treaty[3]. Urban listened to the address, and referred the matter to the consideration of his cardinals: but the delay, thus created, wearied the patience of the French cabinet: the dispensation, it was suggested, was not a matter of absolute necessity: the marriage might be celebrated without waiting for the papal decision; and a proposal was therefore made to fix the day for the

March 21.

demands here alluded to, which had been originally forwarded from Rome, will be seen at the end of Louis's letter, in the next number of the appendix.—*T.*]

[1] [It had been signed on the thirtieth of December, and despatched with letters from Urban to the king of France, the queen mother, the duke of Anjou, Henrietta herself, and others. At the same time, the pope wrote also to Colleton, as "*Decanus cleri Anglicani*", informing him that the dispensation had been granted, and expressing a hope that the marriage would prove beneficial to religion. Copies of all these letters are preserved in the archives of the Vatican, Regist. Authent. Epist. ad Princip. Homines, 96—105. The Dispensation may be seen among the transcripts from the Vatican Papers, now in the State Paper Office, vol. xxx. No. 49.—*T.*]

[2] ["Tutte le sopradette scritture furono portate al nunzio Spada dalli due principali ministri del rè cristianissimo, ad effetto di farsi all' incontro consegnar da lui la dispensa matrimoniale; ma egli ricusò di darla: anzi non volle nemeno ricevere le scritture, come ministro del papa, poichè non erano tutte quelle che si desideravano; e pigliolle solamente come Bernadino Spada." Barberini MS.—*T.*]

[3] See Appendix, No. LXIII.

performance of the ceremony, and to pay no further attention to the wishes or the opinions of Rome upon the subject. To this arrangement, however, James refused his assent, on the ground that, without a dispensation, the validity of the marriage might afterwards be questioned[1]. Louis disputed the reasoning, but was obliged to yield to the resolution, of the English monarch. Fresh instructions were therefore issued: fresh efforts were made to accelerate the proceedings of the cardinals; and each party was anxiously expecting the reply of the pontiff, when death suddenly intervened, to deprive the prince of his father, March 27. and to prevent James from witnessing the consummation of his hopes.

The demise of the king was followed by the arrival of the papal rescript, accepting the security offered in the engagement of Louis, and ordering the nuncio to deliver the dispensation[2]. Charles now, in his regal capacity, proceeded to ratify the treaty. The duke of Chevreuse was appointed to act as proxy; May 1.

[1] ["Mentre in Roma, per ordine del papa, dalla congregazione sopradetta dei cardinali si andavano essaminando le prefate promesse del cristianissimo, i Francesi, scorgendo che il nunzio Spada soprassedeva in consegnare il breve della dispensa, cominciarono a sparger opinione che, senza di essa, potevasi venire alla conclusione del matrimonio, bastando loro di averla richiesta al pontefice: sicchè il cardinale di Roccafocò (*Rochefoucault*), pieno per altro di sensi di buon ecclesiastico, si dichiarò apertamente col nunzio che, se il papa non condiscendeva speditamente ad ordinare che si consegnasse il breve, sarebbe stato cagione che il matrimonio passasse avanti, senza dispensa. * * Dal altro lato, il rè Giacomo, come quegli che, più d'ogni altro, premeva sopra la dispensa pontificia, non per intercessione di religione, ma di politica, e ad effetto che, in alcun tempo, non potesse nascer dubbio, o farsi opposizione, che la prole nascitura dal principe suo figlio fosse illegitima, stette sempre saldo che si dovesse attendere la prefata dispensa." Barberini MS.—*T.*]

[2] [On the death of James, it was again proposed to proceed without the dispensation. After some debate, however, it was resolved to despatch another messenger to the pontiff, when, "quasi nel medesimo tempo, giunse da Roma ordine al nunzio Spada, che consegnar dovesse la dispensa pontificia, con quei brevi, che, fin del mese di Decembre dell' anno antecedente, 1624, furono scritti al rè cristianissimo, alle regine madre e regnante," &c. (Despatch of the nuncio, April 14, apud Barberini MS.).—The fact is, that Urban delayed the dispensation, in the hope of frustrating the marriage; and only despatched the orders for its delivery at last, when he found that Louis was disposed to proceed without him:—"Urbano fù sempre presago dell' infelicità di tal matrimonio, ed andò trattenendo la concessione della dispensa finchè fù possibile: ma poscia consentiva quasi a niuna forza, per ovviare a' scandali maggiori, ed acciocchè non si celebrasse senza l'autorità apostolica." Barberini MS.—*T.*]

Buckingham was ordered to proceed to Paris, to bring home the bride; and on the eighth of May, on a platform erected before the great door of the cathedral of
May 8. { Notre Dame, in Paris, the ceremony was solemnly performed by the cardinal Rochefoucault[1].—*T.*]

This match "was carried on with the unanimous consent of the last parliament, as L'Estrange assures us." But, on the other hand, a great many lay under the same apprehensions they laboured under, while the former treaty was carrying on with Spain: "for almost all the protestants took the alarm, as if the marriage had been only made, to introduce the Roman catholic religion"[2]. This jealousy was encreased by the number of catholic servants and attendants, the queen had brought over with her, among whom were several priests, called oratorians, for the performing of divine service in her chapel. The people began to be very uneasy upon this account; insomuch that, in the
June 18. { first parliament that met, June the eighteenth, 1625, notice was taken of it by some of the members, who complained of the great resort, that was made to the queen's chapel. Particularly, sir John Elliot warmly represented to the house that six Romish priests had lately been pardoned upon the queen's
July 8. { intercession. These complaints were followed with an humble petition to his majesty, that the
Aug. 14. { laws against popish recusants might be put in execution. The king, accordingly, ordered a pro-

[1] [Somers' Tracts, iv. 91—99. Howel, 164. It was in accordance with the instructions from Rome that the ceremony was performed outside the church;—"che alla porta della chiesa cattedrale, o, dove non sarà cattedrale, alla porta della chiesa maggiore, il detto principe e madama, alla presenza dell' ordinario del luogo, o altro arcivescovo, o vescovo, con licenza però del medesimo ordinario, si fermino, e quivi, in un luogo eminente, accomodato per tal funzione, acciocchè la solennità sia palese a tutto il popolo, si diano scambievolmente la fede maritale, secondo il costume della chiesa Romana, e contraggano il matrimonio *per verba de præsenti*, avanti al prelato sopradetto. Ciò fatto, madama entri in chiesa, ed assista al santissimo sagrifizio della messa; dopo la quale, il principe vada ad incontrarla nel liminare della medesima chiesa, e la riconosca per sua moglie e figliuola della chiesa Romana, e secondo il rito di essa, e coll' autorità e benedizione del sommo pontefice." Barberini MS.—*T.*]

[2] Echard ii. 14.

clamation to be issued forth for that purpose. He also went in person to Somerset House, to enquire into the grounds of these complaints; and, in the conclusion, the oratorians and most of the queen's attendants were ordered to leave the kingdom; and her majesty's chapel was afterwards served by capuchin friars, as being least suspected of carrying on intrigues. These proceedings were "thought some indignity to a daughter of France, and a great hardship upon the servants. * * The French king immediately declared his ill resentments of it, and complained of an express violation of the marriage articles[1]." These misunderstandings after-

[1] Echard, ii. 48.—[Some remarks are necessary in this place. 1°. The petition, which had been suggested as soon as the parliament assembled, had been the subject of successive debates and conferences between the two houses. It was presented to the king on the eighth of July, and, having complained, as usual, of the growth of popery, proceeded to lay down the following, as the causes of the alleged evil,—the want of due execution of the laws, the influence and interposition of foreign princes and their ambassadors, the unrestrained concourse of catholics in the city, their open resort to the houses and chapels of foreign ambassadors, the want of religious instruction in many parts of the kingdom, the publication of popish books, and the employment of disaffected persons in offices of trust and authority. It then prayed that instant measures might be taken for the removal of each of these abuses, that the laws against recusants might be strictly enforced, and that a proclamation might be immediately issued, commanding all priests to quit the country by a certain day, and forbidding all persons to receive, comfort, or entertain them. Charles replied (Aug. 8) that the wishes of his parliament should be obeyed. He had married the person, not the religion, of his queen; and he was only following the dictates of his conscience and the dying injunctions of his father, when he adopted the measures now pressed upon his attention (Commons' Journals, i. 802—804, 806, 807. Lords', iii. 479—481).

2°. In pursuance of this engagement, the king issued his first proclamation on the fourteenth of August. It commanded all parents and guardians to recal their children and wards from the foreign seminaries; forbad any bishop, whether denizen or stranger, ordained by authority of the Roman see, to confer orders or to exercise any jurisdiction over the subjects of the English crown; and strictly enjoined the judges, magistrates, and other officers of the law, to execute the statutes against all jesuits and seminary priests, who should be found within the kingdom after the last day of the following month (Rymer, xviii. 179, 180). This proclamation was succeeded (Nov. 11) by a commission for the execution of the penal laws, and for the levying of all fines incurred by recusancy (Ibid. 227—229). Other proclamations followed (Ibid. 266, 267): the catholics were again ordered to confine themselves within a circuit of five miles from their respective dwellings: their arms were seized, their dwellings were searched and plundered, and letters were addressed to the archbishops, bishops, and other ordinaries of every diocese, commanding them to proceed against recusants by excommunication and outlawry in the spiritual courts, and to return their names forthwith to the court of chancery (See Appendix, No. LXIV.). It is clear that these proceedings were in direct violation of the secret engagement,

wards occasioned a war between the two nations, which, though not pursued with vigour, yet brought the catho-

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to which the king had pledged himself upon oath, previous to his marriage. But the religious prepossessions of his people would admit of no compromise: the necessity of conciliating the commons took place, in his mind, of every other consideration; and to the remonstrances of Louis, therefore, urged through a special ambassador, he merely replied that his promises of indulgence to the catholics were neither intended nor understood to be obligatory, and that he could now only endeavour to mitigate the penal laws, by softening the rigour of their execution (Rymer, xviii. 223—225).

3°. The visit to Somerset House, and the dismissal of the queen's servants, were neither connected with the proclamation mentioned by Dodd, nor caused immediately by the remonstrance and petition of the two houses. They proceeded from the private bickerings between Charles and his queen, and were accelerated probably by the imprudent conduct of Henrietta's foreign attendants, perhaps also by a desire, on the part of her husband, to relieve his finances, by the removal of so expensive an establishment. From the moment of her arrival, the queen had been disgusted with England: she had avowed her dislike of the people by whom she was surrounded; and had written again and again to her mother, declaring her anxiety to return to France, or, at least, to be able to communicate to her parent, by word of mouth, what otherwise she could not dare to reveal (Letter of Spada, Nov. 18, 1626, in Barberini MS.). By some means, Charles had heard of this correspondence, and had persuaded himself, or affected to persuade himself, that her servants, while they "fomented discontentments" in her mind, were either "attempting to steal away his wife", or were secretly plotting with the more dissatisfied portion of his subjects. So early as November, 1625, he wrote to Buckingham, expressing his uneasiness on these points, and desiring him to inform the queen-mother that it would be necessary to remove the attendants of her daughter (Hardwick papers, ii. 2, 3). To avert this design, Louis despatched the marquess de Blainville (1626), to act as mediator between the parties: but Charles refused to admit his intervention: his interference, he said, was an affront to the dignity of his crown: and, on the thirty-first of July, he proceeded, without further ceremony, to carry his project into execution. On that day, the whole body of the queen's servants was ordered to repair to Somerset House, preparatory to their removal to France. In place of her chaplains, three priests, Phillips a Scotsman, and two others who had taken the oath of allegiance, were appointed to attend her: the two catholic countesses of Buckingham and Rutland were added to four protestant peeresses, as ladies of the bed-chamber; and, in the course of a few days, a new household, selected exclusively from the families of the English nobilty, was formed about her. I will subjoin Howel's account of the principal incidents in this transaction:—"The French that came over with her majesty, for their petulancy, and some misdemeanours, and imposing some odd penances upon the queen, are all cashiered this week; about a matter of six score, whereof the bishop of Mende was one, who had stood to be steward of her majesty's courts, which office my lord of Holland hath. It was a thing suddenly done; for, about one of the clock, as they were at dinner, my lord Conway and sir Thomas Edmonds came with an order from the king, that they must instantly away to Somerset House; for there were barges and coaches waiting for them; and there they should have all their wages paid them to a penny; and so they must be content to quit the kingdom. This sudden undreamed of order struck an astonishment into them all, both men and women; and running to complain to the queen, his majesty had taken her before into his bed-chamber, and locked the doors upon them, until he had told her how matters stood. The queen fell

lics under a very severe persecution, which was carried on, by appointing certain officers, called pursuivants, who had

into a violent passion, broke the glass windows, and tore her hair; but she was calmed afterwards. * * They are all now on their way to Dover; but I fear this will breed ill blood betwixt us and France, and may break out into an ill favoured quarrel" (p. 178, 179. See also Ellis, iii. 238—248).—I may add, with regard to the "odd penances" here mentioned, that Howel alludes to a charge against the clerical part of the queen's attendants, of having caused her "to walk a-foot, some add barefoot, from her house at St. James's to the gallows at Tyburn," there to offer up prayers in honour of those who had been executed for their religion (Ellis, iii. 241). Dr. Lingard, however, has shewn, from the testimony of the ambassador Bassompierre, that there was no truth whatever in this accusation,—the only one of the kind which the government ever ventured to prefer (Lingard, ix. 265, note).

4°. If this proceeding was calculated to rouse the indignation of the French king, it was not less effectual in awakening the anger, and calling forth the energies, of the pope. No sooner had intelligence arrived in Rome that the queen's servants had been dismissed, than Urban resolved to employ the whole weight of his influence in the vindication of her cause. With this view, he wrote to Louis and to the king of Spain, exhorting them to arm in the defence of God, and to unite in chastising the insolence of a nation, whose impiety called to heaven for vengeance. At the same time also, he addressed letters to the queen-mother, to Richelieu, and to the other ministers of France: he ordered his nuncio Spada to open a communication with the Spanish cabinet, through the intervention of the ambassador; and he enjoined him to use every means at his disposal to induce the two powers to lay aside all feelings of jealousy, and to act in concert with each other and with the court of Rome, in punishing the perfidy of the English king (See Appendix, No. LXV.). In consequence of these exhortations, a negotiation for an offensive alliance was secretly opened. At the same time, and with a view to amuse Charles, the marshal Bassompierre was despatched to England, with orders to demand the restoration of the queen's servants, and the fulfilment of the marriage treaty in favour of the catholics. It was not expected that the mission of the ambassador would prove successful. However, to the surprise of Louis, perhaps also to his mortification, an amicable compromise (Nov. 26) was effected. A new establishment was to be formed for the queen, an additional chapel to be erected for her accommodation, at Somerset House: her chamberlain and two of her ladies, with a physician and some other officers, were to be catholics and French, the rest English; and, instead of twenty-eight chaplains, as settled by the treaty, she was henceforth to be served by a bishop and twelve priests, provided only that the former was not her late almoner, the bishop of Mende, and the latter were neither oratorians nor jesuits. With regard to the catholics, however, but little was accomplished. Charles still maintained that his promises of indulgence had been made and received only as political devices: but he expressed his willingness to temper the execution of the laws to the utmost of his power; and he at length satisfied the importunity of the ambassador (Nov. 27), by delivering sixteen, out of twenty-eight, priests confined in the different prisons of the metropolis, to be transported beyond the seas (Rymer, xviii. 801, 802. Mémoire de prêtres prisonniers à Londres, MS. in the State Paper Office). If the proceedings of Bassompierre were condemned both at Paris and in Rome, his actions at least were not disavowed by the French cabinet. Still, the negotiation with Spain proceeded: a treaty of alliance was at length concluded (April 10, 1627); and the war, of which Dodd has spoken in the text, soon after followed. For some further illustration of these occurrences see the extracts from the Barberini MS., which I shall subjoin in the Appendix, No. LXVI.—*T.*]

almost an unlimited power to search their houses, and distress them upon any occasion. This was a hardship they never had experienced, even in the worst of times[1]; and it continued for some years, during the middle part of this reign; though with some intervals of ease, by the queen's mediation: otherwise, there was a party in the parliament so incensed against the catholics, that the sanguinary laws would have been put in execution with as much rigour, as either in Henry the eighth's or queen Elizabeth's reign. It was upon the peace with France, which was concluded, May 10, 1629, that this persecution began somewhat to relax, when, "at the instance of the queen, in regard of that joyful peace, his majesty was pleased that certain priests and recusants, who were then in several prisons, should be released, and delivered to the French ambassador, to be transported beyond the seas[2]." Mr. Echard tells us that the queen was brought to bed of a son, a few days after the peace, which lived not above an hour; and that certain Romish priests would have baptized it in the bed-chamber, had not the king stepped in, and ordered Dr. Webb, one of his chaplains, to perform that office[3].

In the year 1638, Mary of Medicis, queen-mother of France, came over into England, to visit her daughter; concerning whom Mr. Echard makes this extravagant remark,—that "the English nation hated her, or suspected her, for her own, for her church's, for her country's, and for her daughter's sake[4]." She left England, in 1641, having resided there about three years; and retired to Cologne, where she spent the remainder of her days, in a kind of indigence, considering her quality; not daring, as it is said, to return again to France.

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[1] [To the reader of the preceding volumes of this history any remark on the inaccuracy of this assertion must be unnecessary.—*T.*]

[2] Echard, ii. 88. [The peace was *concluded* on the fourteenth of April, O.S. and *proclaimed* on the tenth of May. Rymer, xix. 66 87.—*T.*]

[3] Ibid. [4] Echard, ii. 140.

APPENDIX.

*** *The Papers marked with asterisks were not printed in the former edition of this work.*

No. I.—(*Referred to at page* 4.)

*** *The Cardinal Protector to Dr. Worthington, Sept.* 13, 1599.

[Diary of Douay College, i. 26.]

Reverende in Christo uti frater,

Literas vestras, Duaci, ad 16 kal. Septembris scriptas, et tàm vestrâ, quàm duorum visitatorum à nobis institutorum, DD. Halli et Wrighti, manu subscriptas, accepi: relationem etiam eorum, quæ scripto separato de rebus à vobis in visitatione collegii vestri Duaceni observatis transmisistis, perlegi: quæ et consolationem sanè mihi attulerunt, et dolorem;—consolationem, quòd tantam juventutem catholicam eò confluxisse, et pietati studiisque operam dare significastis: dolorem verò non mediocrem, quòd facultates collegii nullo modo sufficiant numero illi alendo, et multò minùs æri alieno quod contractum est dissolvendo: quod omninò tamen curandum est ut dissolvatur, ne deteriora indè incommoda quotidie sequantur; quorum non pauca jam secuta esse, ad totius communitatis detrimentum, his literis vestris scribitis,—versuræ nimirùm atque usuræ intoleranda damna, victûs atque vestitûs inopiam, disciplinæ defectum, aliaque quæ, nisi eis maturè occurratur, collegii istius interritum atque dissolutionem haud obscurè minantur. Cum varia autem apud me media faciendæ huic malo medicinæ cogitare cœpissem, nullum aliud, rebus sic stantibus, reperire potui, quàm ut diminuatur numerus eorum qui collegii sumptibus sustentantur: ad quod licèt perinvitus sane accedo, planè tamen necessarium esse video, ut aliquorum membrorum incommodo totius corporis saluti consulatur. Primùm igitur dominationi vestræ ordinamus, ut totus numerus collegialium, hoc est, eorum qui collegii sumptibus alendi sunt (sivè famuli illi sunt, sivè sacerdotes ac scholares), ad numerum sexagesimum reducatur: neque ut ullus in posterum, quoad

debita dissolvantur, supra illum numerum in collegii alumnum recipiatur, nisi ex speciali licentiâ nostrâ priùs habitâ; quam tamen difficillimè daturi sumus, nisi dominationi vestræ et visitatoribus alitèr visum fuerit, et particulares eâdem de re rationes adductæ atque allegatæ fuerint. Interim verò si aliqui advenerint, qui suis se sumptibus sustentare valebunt, promittentque disciplinam scholasticam se esse secuturos, admitti poterunt in convictores, non autem in alumnos, quousque, dissolutis collegii debitis, aliud statuetur: ad quam rem si ista numeri diminutio non erit sufficiens, ad aliam deinde veniendum erit. Omninò enim ea est mens suæ sanctitatis atque nostra, ut non plures admittentur ad collegii expensas, quàm commodè et honestè ali possint, quos optemus certè esse quamplurimos. Sed cum facultates non suppetant, omninò judicatum est causæ Anglicanæ magis expedire, pauciores et selectiores cum honestate, decoroque, ac debitâ collegii formâ observatâ, istuc institui, quàm promiscuam multitudinem ad inopiæ participationem admitti. De modo autem quo diminui possit numerus præsens, videbit dominatio vestra unà cum assistentibus, ut omni cum suavitate atque humanitate fiat; modò infrà tres menses, aut ad summum quatuor, omnes ad numerum prædictum sexagesimum reducantur, inclusis etiam famulis. Quia verò ii, qui inferioribus classibus student, min s collegio necessarii, utilesque ad finem suum esse censentur, iis præcipuè dimittendis, vel alibi accommodandis, dominatio vestra intendere debebit; nisi qui suis se forsan expensis alere poterunt, vel alia quæpiam ratio particularis præcipui momenti aliquibus eorum patrocinata fuerit. In posterùm verò non admittantur nisi qui ad rhetoricam saltem sint apti, et proximo artium cursui inchoando futuri idonei, vel ut studeant theologiæ morali, quam vocant positivam. In reliquis etiam classibus considerandum erit quâ ratione levari possit collegii inopia, nimirùm, vel aliquos aliò dimittendo, vel in Angliam emittendo. Illud tamen caveri summoperè debebit, ne hac occasione indigni aliqui ad sacros ordines præproperè promoveantur, vel sacerdotes inidonei ad Anglicanam missionem destinentur. Hinc enim majora longè damna atque incommoda sequerentur, quàm ex collegii levamine vitantur.

Præcipuè veró cupit sua sanctitas, et nos etiam idipsum ordinavimus jam, hocque loco repetimus, ut non nisi probatis viris facultates à nobis concessæ communicantur pro missione Anglicanâ; qui juramento promittant quietè ac pacificè se gerere velle, et reverendo domino archipresbytero, à suâ sanctitate constituto, debitè ac reverenter obedire: et qui hoc promittere noluerint, alibi sibi prospiciant necesse est, neque in Angliam sunt mittendi. Æquissimum etiam est, quod suis literis visitatores significarunt, ut omnes, qui collegii sumptibus

istic ad studia aluntur, juramentum suscipiant se paratos esse ad vitam ecclesiasticam agendam, sacrosque ordines suo tempore, quandocumque superior id adjudicaverit, suscipiendos, aliaque quæ in formâ juramenti continentur, quod aliorum seminariorum alumni suscipiunt. Faciat igitur dominatio vestra, ut quamprimùm studiosis omnibus istic degentibus idem juramentum proponatur, pro collegii fine, et suæ sanctitatis intentione conservandâ. Quòd si qui essent qui illud suscipere non statuerunt, neque suæ sanctitatis propositionem hac in re adimplere, ii amoveri debebunt: iniquum enim esset in istiusmodi collegii sumptibus, contra suæ sanctitatis intentionem, istinc sustententur.

Cætera ferè omnia, quæ vestris ac visitatorum literis tanguntur, in constitutiones quasdam referenda censuimus, quas unà cum his misimus, ut executioni paulatim, prout fieri potest, mandentur. Si quid verò sit quod in praxi majorem difficultatem aliquam, aut incommodum habere videatur, id suspendi poterit, quoad vel visitatorum judicium eâ de re exquiratur, vel ad nos rescribatur, responsumque dederimus. Post aliquot verò mensium de rei progressu experientiam, cum quid addendum, demendum, vel mutandum videatur à dominatione vestrâ ac visitatoribus significatum erit, apostolicæ confirmationis robur rebus rectè constitutis adhibendum curabimus.

" Duo tamen vel tria hoc loco ad literas vestras respondenda restant:—Primum, videri mihi omninò necessarium, ut ordinariè nulli istic in posterum admittantur, nisi qui ex Angliâ per reverendissimum dominum archipresbyterum, aut superiorem patrum societatis Jesu, commendentur:"[1] sic enim et pauciores et selectiores ad vos mittentur, et cæteris sacerdotibus patribusque societatis, cum aliquos habuerint ex diversis Angliæ provinciis mittendos, facile erit superiores eâ de re consulere, antequàm eos emittant. Itaque quantocyus hoc à vobis diversis viris in Angliam scribendum erit; ut, hujus decreti admoniti, nullos emittant nisi ex dictorum superiorum præscripto, qui, cum non nisi duo sint, faciliùs vobiscum literarum usum et commercia habere, rationesque collegii vestri intelligere poterunt, quàm si promiscuè vobis cum omnibus et singulis esset agendum.

Alterum est, placere mihi quod visitatorum literis propositum est, de amplificandâ eâ domo quam modo habetis, per sacelli ædificationem, et cubiculorum ei adjunctorum augmentum: illud enim pernecessarium esse video, tùm ad cohabitationem, tùm etiam ad disciplinam domesticam meliùs instituendam. Itaque dominatio vestra aliique in eam

[1] [This passage, and two others which follow, similarly marked with inverted commas, were printed by Dodd, in the former edition of this work.—*T.*]

curam quamprimùm incumbant, ut eleemosynæ vel alia quæcumque subsidia, quibuscumque modis fieri potest, ad eam rem comparentur. Nos etiam hìc præstabimus quod in nobis erit, saltem ut quatuor mensium pensio, quæ à bello Ferrariensi retenta fuit, et non soluta, ad hunc ipsum finem obtineatur, quamprimùm fieri potest. Vos istic etiam vestras partes adjungatis, ut aliundè quoque aliqua ex diligentiâ vestrâ accedant.

" Tertium et postremum est de confessario ordinario totius collegii, quem valdè probo ut sit aliquis vir doctus et gravis, nationis Anglicanæ, ex societate Jesu, si obtineri poterit (de quo jam tractatum est cum reverendissimo patre generali ejusdem ordinis), ut aliquis ejusmodi in isto collegio societatis Duaceno resideat," qui huic se operi, hoc est, seminarii vestri utilitati, totum impendat, tàm confessionibus audiendis, quàm reconciliandis etiam iis, qui recentes ex Angliâ vel aliundè accedunt, exhortationibus etiam quandoque faciendis, exercitiis spiritualibus tradendis, præscribendis quoque meditationibus pro quotidianâ juventutis oratione, aliisque hujusmodi adjumentis præstandis, quæ et collegio, et præsidi, omnique juventuti, summæ erunt utilitatis. " Interim, quia cohabitare in seminario non poterit, sed apud suos, et certis temporibus eò accedere, statuere possit dominatio vestra alium domi confessarium, quo sacerdotes ac seniores collegiales uti poterunt."

Atque hæc sunt quæ in præsentiâ occurrunt, quæ dominatio vestra, postquam domesticis omnibus perlegerit, visitatoribus etiam communicet, &c. Omnibus vestra dominatio ex animo me commendet. Romæ, ex ædibus nostris, Idibus Septembris, anno Domini 1599.

No. II.—(*Referred to at page* 5.)

*** *Worthington to Persons, January* 10, 1597.

[Original in my possession.]

Most Dear and Reverend Father,

Some four or five years ago, I did impart unto your reverence that I had, long before that time, bound myself by express vow to follow, and to endeavour, by the assistance of God's grace, to fulfil, the direction of our late cardinal of blessed memory,[1] how and wheresoever it should seem good to him to appoint me, or to employ my poor labours; not doubting but the same should be to God's honour, and better assurance of mine own salvation: which vow and promise made to God I trust I never notoriously nor wittingly violated, so long as he lived; for so long it did bind me. And truly, I found thereby

[1] [Cardinal Allen.—*T.*]

(I thank God for it) not only a singular great ease in any consultation pertaining to myself, but also a very good warrant, as methought, in all my actions of greater importance, and no small consolation, quietness of mind, and peace of conscience, and the like fruits; the consideration whereof caused me, even in his lifetime, to purpose to renew and continue this vow towards some other discreet, wise, and godly man, if God should take my present superior out of this world before me. And much more I thought to perform this, when indeed God had taken him from me, and from many to whom he was a loving father and patron: and so, upon the feast of St. Thomas the martyr next following, as I trust to God's honour, and our blessed lady, &c., I appointed myself two years for probation, to the imitation of your society; meaning and purposing, in the end of the same two years, to bind myself by like vow unto your reverence, as before I had done to the good cardinal; which vow, this last feast of the same St. Thomas, I have confirmed (I thank God for it), by vow and promise to God, *in manu confessarii*, who was the rector of your college in Louvain, who only knoweth this my vow as yet, and no other mortal creature. He asked me if you knew of it. I answered that no; but that I do absolutely bind myself, so long as we both shall live in this world, with this one exception, that I am free to enter, or not to enter, into religion, as I shall be effectually called, or not called, of God thereunto: for, as this simple vow cannot hinder me, so my will is, not to be bound thereto by virtue thereof, if you should so direct me. And as for your accepting of this charge over me, I told my said ghostly father that I would now signify it unto you, and desire you so to accept me, and that I trust that, of your charity, you so will: if not, I will, notwithstanding, for lack of your direction, endeavour to follow your inclination, so far as I can learn it, in all mine actions of importance. He advised me to write my vow, and keep it with myself; which I have done, and here declared to you the sum and substance thereof.

Now in all dutiful humility, I beseech you, for God's sake, thus to accept me into your particular charge, to direct, command, and govern me, as your subject in God. It shall be, I trust, no new burden unto you; for you have had still a particular care of me, since I first found you in Rome, anno '79; but especially since you received me with others at Rouen, when we were carried out of prison in England into a new banishment, anno '85. It is to me no new yoke; for I was at your commandment ever since the former of these times mentioned, so far as could stand with my former vow, as, indeed, it stood always right well, for that my lord cardinal and yourself concurred right in

employing me, at least so far as was intimated unto me by either of you: so that, with confidence to obtain, and with present consolation of future fruit, I make this above-mentioned petition, for God's sake, and for our blessed Lady's, my particular angel, and particular patron St. Thomas the martyr, and for all saints' sake. Thus doing, I trust God will add it to the heap of all your other merits:—and then I request, agreeably hereunto, that you will assign me some by whom I shall be directed here, or in any other place distant from you, and in your absence. In the meantime, I suppose you will have me to take and follow father Holt's direction as your own, who knoweth, as far as I can make him know, or as a mortal man can morally know, mine estate, mine inclinations, my small talents, and imperfections.

One only thing I am further bold to signify at this time,—that I have an inclination to return into England, which I have often manifested to father Holt, and partly to some others: yet my motives thereunto are not so perfect as I would they were; for they are especially these two,—want of competent means to live here, and little fruit of my labours in this place; which, together with my weakness of body and mind, as father Holt sees and knoweth, make me marvellous weary of this place, and to think often, yea, daily and nightly, of the consolations and fruit which I found in England, when I conversed there, and used my function as that place and time permitted. This and all other my desires, griefs, inclinations, and whatsoever, I refer simply to your judgment and decision. Finally, yet most especially, I crave your prayers for God's grace. In mine, such as they be, especially in the holy sacrifice, I commend you every day, and so will continue, God willing. For my nephews, God will reward you, I doubt not. God make us always grateful, to whom I commend you and all your labours. Brussels, the 10th of January, '97.

Your Reverence's all and for ever,

THOMAS WORTHINGTON.

Though I endorse this to you only, yet, after yourself shall have read it, it is in your power to communicate the contents, all or part, at your good discretion, where you suppose it may do good, and no hurt. But, before I understand your mind herein, I mean not to communicate it to any; no, not to father Holt.

No. III.—(*Referred to at page* 6.)

N. Pilkington, pastor of a church in Valenciennes, to his friend Mr. Steward, concerning the design of surrendering Douay college to the Jesuits. Nov. 30, 1612.

[Copy formerly in Douay College.]

Good Mr. Steward,

I most heartily commend me unto you. This is to let you understand that the visitors called on me, in passing this way: but I would not be known to know of their being at Douay; and, in the end, they broke it unto me, and asked me if I had a bishopric to give. I still making ignorant, in the end they said it was reported at Douay, that the fathers dealt with me, to deal with the president, to give up the college into their hands; and that they would make him a bishop. I said that Mr. William Singleton dealt with me, to speak unto the president thereabout, and withal told me that he had authority from the fathers so to do; that there was a bishop to be made of our country; and, in respect of the honour and love he bare unto our country and the president, he would rather *he* were than any other. I said, I thought the fathers would not accept thereof; for methought they had as much as they could well deal withal. Wherefore, going, the next day, to the fathers, I fell in speech with a lay brother that I went to visit, that was not well.[1] I communicated this affair with him, who, after a while, sent for the rector; and, when he came, I was bid to go into another chamber, while they talked: which ended, I entered again: who laughing on me said, I might do well to persuade Mr. President thereto, and it would be grateful to the society. And I dealt thus with the president. And this is all I said; and this is true: whereby one may easily see that the fathers would have it. And that, they of the college affirmed, that the fathers dealt with me, was but forgetfulness in the person: for it was with Mr. William Singleton, as he said, by their authority: and, when I dealt with the president, I dealt in the name of Singleton. This I would have you to tell Mr. John Worthington. They desired me to set it down in writing; and so I did. I talked with Mr. Chambers, and asked him whether it was to put out the president. He said, he thought no: but there was many complaints made against him. I said they were either for Mr. Dr. Norton, or Singleton; but more for Dr. Norton. It was said at Mechlin, a good while ago, that he was already pre-

[1] [Peter Worthington, nephew to the president. Visitation of Douay College, anno 1612, page 43. Original MS. in my possession.—*T.*]

sident, or else was to be, very shortly. So I perceive he burneth till he have it. For Mr. Singleton, in Mr. Dr. Barret's time, he was a great doer: but, as soon as he was president, he despatched himself of him and others such-like. Mr. Chambers told me that the president was much changed, since I knew him. This is all I had about that matter. N. PILKINGTON.

Nov. 30, 1612.

Persons to Birkhead, September 16, 1609.

[Extract from Dodd's MS. of his History, iii. 148.]

Right Reverend and my Dear Good Sir,

* * * You write very earnestly in both your foresaid last letters, that it would be a great mean of peace, if some of your brethren there and here might be placed in Douay college, for bringing of the same to a better state, and to write against heretics, so they might choose among themselves one to be their president: wherein, truly, could I persuade myself that those effects would follow, of peace and bettering the college, which you conceive, I should be most glad to concur and cooperate with you therein; for what could be more acceptable than this unto the fathers of our society, than to have it well governed by secular priests, as always it hath been, from the beginning thereof; though the government thereof hath been both often and earnestly urged upon us, not only in these latter days, but even in the cardinal's time, if we would have taken it, as father general well knoweth. * * * But now, sir, this disposition of mind and affection being discovered in some of your brethren, at the very time we treat of peace by means of Douay college (and I say *some*, for that I think verily that many are not of so intemperate humour), I would ask you what hope of peace or friendship can there be, if, having that college in their hands, they should prosecute this disaffection against our fathers, that have the government of the other seminaries, and must, of necessity, have good correspondency with that of Douay? Would it not be seminary against seminary, as castle against castle, and so bring all into a far greater fire of dissention? * * *

I had forgotten to answer you a word about Douay. The president, you know, is a good man, and friend of us both, and not to be taken at the worst, now in this common affliction, now when his pension is not paid; which I take to be the chief ground of all defects and disorders, which he meaneth to redress, as soon as his temporal ability shall be restored, which we all hope will be shortly. He

desireth to have sufficient men about him, when he shall have wherewith to maintain them, according to their qualities. I grant he had a certain desire to give up the government to the society. It was not, nor will not be, accepted. Perhaps some other religious order near him will not make so great difficulty to take it, if he offer them the same.[1] My inclination is, that it should be maintained as it was begun, under secular priests, *if any moderate men may be found, that will agree with others*, and with such religious as, of necessity, they must have correspondence withal, for holding up the common cause.

Yours for ever,

R. P.

No. IV.—(*Referred to at page* 8.)

*** *Literæ venerabilis presbyteri Angli, ob fidei catholicæ constantem professionem bis vincula passi, è carcere Romam destinatæ, mense Decembri*, 1611, *illucque perlatæ Martii* 10, 1612.[2]

[MS. in my possession.]

Reverende Domine,

Constantes labores vestri in causâ publicâ induxerunt etiam me ut reverentiam vestram, quamvis ignotam, adeò studiosè inter alios plurimos rei catholicæ progressum affectantem, religiosâ prosequerer charitate. * * Nuper scrupulosiùs solicitatus à quibusdam mihi amicissimis, nimis inurbanæ verecundiæ existimabam illa reticere, quorum manifestatio à me pluribus exigitur nominibus, præsertim illis qui ibidem consistunt, undè opportunum malis nostris omnibus expectandum est remedium.

De catholicorum numero, præsertim in partibus regni occidentalibus, hoc sciatis, minorem multò esse quàm aliàs fuit. Hujus testes sunt civitates Wintoniæ et Wells, cum oppido Wimborne et aliis, in quibus olim catholici numerabantur haud pauci, cum jam ibidem vix quisquam inveniatur. Et multùm vereor ne in Walliâ aliisque provinciis eadem sit rerum nostrarum declinatio. Protestantes etiam in suâ hæresi fluctuantes, de quorum ad fidem catholicam conversione spes erat maxima, modò a priore suo bono proposito resiliunt, vel scandalizati proditione pulverariâ, vel quia vident omnia in politico statu adeò confirmata, ut non sit revolutionis expectatio: et parvus hic catho-

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[1] [The reader, who shall recollect the dispute which I have mentioned in a preceding part of this history (iv. 88, 89, note), will easily understand that this groundless and offensive sarcasm is levelled at the Benedictines.—*T.*]

[2] [From a note inserted in one of the copies of this letter, it appears to have been addressed to More, the agent of the archpriest.—*T.*]

licorum manipulus, qui adhuc superest, adeò persecutione diuturnâ attritus est, et tantarum pecuniarum mulctâ exhaustus, ut plurimi eorum in summam redigantur inopiam (sic D. Stourton, D. Adon, aliique permulti in provinciâ Dorcestrensi); et omnes in universum vel ære alieno admodùm gravantur, vel his malis coacti sunt patrimonii partem maximam divendere,—sic D. Keins, D. Cowel, D. Walton, D. Bifleet, D. Mansfield, et alii in provinciâ Somersetensi, et D. Edwardus Stourton, D. Carew, D. Fathers, in provinciâ Dorcestrensi.

Observatione tamen haud indignum in his omnibus judico, quomodò apud nostros deferbuerit primitiva charitas: nam in provinciâ Dorcestrensi solâ, cum olim essent pro presbyteris residentiæ octo, modò vix duo reperiuntur; et in Somersetensi, ubi priùs erant sex vel septem, modò vix unica est relicta. Nec hoc putetis partibus regni occidentalibus peculiare; quia in provinciis singulis, quantum audio, pauciores fiunt indies residentiæ pro presbyteris. Hæc cum ita sint, vestro relinquo judicio quantâ cum discretione quinque vel sex collegia nostra hùc tot exonerant sacerdotes, qui quidem omnes vitæ necessariis destituuntur. Plurimi ex illis doctrinâ minùs sunt instructi; plerique discretione et judicio carent, et nonnulli morum probitate et virtutibus: ex quibus defectibus quantum patriæ nostræ nascatur præjudicii optimè poterit conjicere reverentia vestra.

Temporalia enim ad vitæ sustentationem cum desint, fiunt hi oneri provinciis. Sic, ante meam incarcerationem, novi ipse quinque in provinciis Somersetensi et Dorcestrensi, quasi vagabundos, sine residentiis vel modo ullo se sustentandi; quorum minùs necessarius, de domo in domum, hùc illucque discursus et personas ipsas et ordinem sacerdotalem in contemptum et vilipendium sine dubio trahet. Novi etiam quosdam ex nobilioribus laicis, quorum domus maximè patuerunt presbyteris catholicis, vehementèr fuisse conquestos de his excessibus. Quare valdè timendum est, nisi quis modus magis rationi congruus ineatur, ne catholici omnes eorum sequantur exemplum, qui, periculi quidem prætextu, revera tamen ratione expensarum, ostia sua contra nos occludere cœperunt. Deindè hæc temporalium indigentia quosdam ex nostris cogit mutuo accipere pecunias, quas postea non sunt solvendo: alii verò tentationes graviores hinc experiuntur, cum necessitas extrema semper urgeat ad extrema quæque tentanda. Si ergò institutio collegiorum nostrorum est, ut presbyteri hìc vivant in hac necessitate penè extremâ, sint missiones nostræ hominum eorum solummodò, qui nullis angustiis nullis necessitatibus territi cedent. Meo quidem judicio, nec charitas nec prudentia præscribit destinationem vulgi hominum ad pericula haud vulgaria.

Doctrinæ defectus talis est, ut in tribus provinciis vix inveniatur unus doctus et probatus presbyter, spiritualibus documentis benè instructus ad aliorum directionem in vitâ spirituali, vel scientiâ præditus in decisione casuum conscientiæ, vel idoneus ad sufficientèr respondendum hæretico in fidei controversiis. Cumque hoc tempore catholici ecclesias non habeant, in quibus congregati audiant conciones vel alias spirituales instructiones, necesse est ut eis patres spirituales assignentur, qui appositè et solicitè suppleant hunc defectum; nisi quis arbitretur decere plebem christianam altum dormire in crassâ et inexcusabili ignorantiâ, prout plerisque ex pauperibus accidit, qui, ab hæresi ad ecclesiam catholicam conversi, vix semel in sex mensibus visitantur à presbyteris, idque cursariò, dum plurimos pertranseunt; unde nihil ampliùs tunc solatii percipere possunt, quàm absolutionem sacramentalem à peccatis.

Moralis verò disciplinæ non minor est defectus, nec minoris nobis præjudicii: plurimi enim, parùm in literis versati, quibus nulla ampliùs suppetit studendi facultas, nec libros nec alios doctos habentes quos consulant, in evidens animarum suarum et pœnitentium periculum, se audactèr et indifferentèr ingerunt in omnes casus obvios. In fidei verò controversiis, protestantes multò magis jam, quàm pridem, sunt versati. Imò nobiles viri et fœminæ his studiis ordinariò se applicant. Hi fiduciâ nimiâ in causæ suæ merito vel doctrinæ, vel scrupulo aliquo moti in religione quam profitentur, vel suasu amicorum, cupientes de rebus fidei conferre, non inveniunt qui cum illis libentèr tractent, prout sæpiùs evenit, vel in ejusmodi presbyteros incidunt qui inidonei sunt ad satisfaciendum dubiis et argumentis eorum: unde tàm ipsi, quàm totum auditorium, manent scandalizati, ut in erroribus suis magis confirmati. Ex hac ignorantiâ adeo universali, animarum conversio plurimùm retardatur, et generalitèr inuritur inevitabilis infamiæ nota religioni catholicæ, exponiturque irrisioni, maximè cum presbyteri hi idiotæ et indocti incidunt in manus hæreticorum. Alios meo pede metior. Cum enim, tempore reginæ demortuæ, captus essem in oppido Romsey, coactus sum disputationem inire de rebus fidei catholicæ cum ministro hæretico, coram omni populo in illâ parœciâ. Deductus deinde Wintoniam, ibi totum me oppugnavit collegium: postea coram pseudo-episcopo coactus sum respondere objectionibus, quas fecit contra religionem catholicam, per duos integros dies, præsente vicecomite provinciæ et pluribus aliis viris nobilibus: demùm Londinum versus dum trahor, in singulis hospitiis ministri hæretici et ludimagistri me sunt aggressi. In hac verò secundâ apprehensione rationem fidei reddere publicè in oppido principali ejus provinciæ jussus sum à duobus pacis conservatoribus. Nec dubium quin aliorum

mecum sit eadem et æqua conditio. Cum ergò ita se res habeat, ut patriæ nostræ non desint sacerdotes, imò multò plures habeat quàm commodè ali possunt, et præterea quòd multò major doctrina sit absolutè necessaria pro functione nostrâ rite exequendâ, quàm pro curâ animarum sustinendâ, mirum videtur cur seminaria nostra adeò festinatò transmittunt hùc homines ignaros in omni doctrinâ, post unum vel alterum annum theologiæ positivæ. Quòd si aliqui hùc accedant, expletis jam duobus annis in theologiâ scholasticâ (qui enim integrum studiorum cursum perficiunt rarissimi sunt), adhuc nec hi, cum minùs versati sint in moralibus disciplinis et fidei controversiis, patriæ utiles erunt, quæ homines exigit harum disciplinarum apprimè gnaros. Imò si studere negligant, sicut plerumque fit, vel residentiis careant, vel libris, aliisque, requisitis talibus qui studere intendunt, nescio quomodo hujusmodi tutâ conscientiâ possint exercere functiones suas.

Quoàd maturitatis et discretionis defectum, ille quidem ascribendus erit educationi in collegiis nostris, ubi presbyteri nostri, à pueris inter pueros versati, ita imbibunt quasi puerilem conversandi modum, ut, redeuntes demùm in Angliam, experientiæ ætatisque defectu, et ratione puerilis eorum conversationis, non adeò grati sunt, nec conveniunt cum gravitate et morum maturitate catholicorum nobilium.

Denique, ex virtutis defectu quidam sacerdotes à fide apostatarunt ad maximè deploratos et abominabiles mores. Tales sunt Rouse et Atkinson.[1] Alii vixerunt cum notabili scandalo inter nos (nominibus parco). Quid quod quidam, hoc ipso tempore, sæpè admonitus à fratribus suis, retinet apud se mulierculam etiam in carcere, non sine gravi aliorum scandalo. Dolens cogito plures nominari posse in hoc

[1] [Of Rouse, however, who, for some time, followed the occupation of a pursuivant, it is only just to say, that he subsequently repented of his crime, and returned to the religion which he had abandoned. Speaking of the fortunes frequently amassed by the pursuivants, and of the large sums exacted by them from the more opulent catholics, Robert Clapham, a clergyman, thus writes to More, the agent of the archpriest,—" Mr. Rouse hath lately written a very penitent letter to all catholics in England, acknowledging that, in the said kind, he had received many a round sum, but nothing would thrive with him; which he promiseth he will hereafter set down. All the time of his fall, he thought the earth did open to receive him; but sought to drive it away by keeping company. And always, when the clock did strike, he remembered our blessed Lady, by saying something in her honour. He confesseth that, falling into vice, he followed that bad course of life; but he always in his heart loved and honoured those of his function. He humbly of all sorts of people craveth pardon. He remaineth at Louvain, at the nuncio's disposing" (Oct. 22, 1613. Original in my possession). " Mr. Rouse * * * liveth, as I understand, in Flanders, where he persevereth in daily prayer and penance, with no small comfort to his own soul, and to the great edification of others." Walsingham's Search into Matters of Religion, 363, note, new edition, Dolman, 1843.—*T.*]

genere, et quòd hæc ipsa, adeò notoria cum sint etiam hæreticis, permittantur tamen cum tanto religionis catholicæ scandalo. Et quamvis quidam, virtute, ut videbatur, satis instructi, hìc ruinam ex occasionibus obviis invenerunt, nonnulli tamen, ex his lapsis, in collegiis nostris facilè remedium accepissent. Tres enim illi, Hardesty, Tether, et Atkinson, nunquam idonei erant ad sacros ordines suscipiendos. Georgius Smitheus, et alii quidam cerebri aliquatenùs diminuti, nunquàm huc mitti debuerant. Tyril, Rouse, et Joannes Personius nimis labilis ingenii et naturæ fuerant, ut perseverantiæ spem præberent inter tot tentationes periculosissimas, quæ singulos in Angliâ degentes quotidie prosequuntur. Juvenes item in collegiis nostris nimis propendent in libertatem (ut minimum dicam). Multi, vix depositâ sæculari et profanâ eorum conversatione, denuò redeunt ad eandem. Hoc denique addam, unicum presbyterum, morum gravitate, virtute, et doctrinâ insignem, de residentiâ aliisque necessariis commodè provisum, plùs patriæ profuturum, quàm omnes hi nudi et inermes.

Hoc nimiùm prolixo meo discursu tædium vobis si præbere nimis audactèr præsumpserim, judicium meum in his rebus interponendo, veniam dabit reverentia vestra. Nova hìc nulla, nisi flebilia illa de D. Sheldono, qui, simul cum D. Collyers, cogitat de fide et religione catholicâ deserendâ. Hi, licèt adhuc vivant in carcere, recalcitrant tamen contra ipsam spiritualem summi pontificis authoritatem, denegantque, cum summâ blasphemiâ, invocationem sanctorum, et imaginum venerationem, videnturque jam jamque se daturos in apostasiæ barathrum. Deus det illis humilitatis spiritum, cum gratiâ seipsos cognoscendi! Et ita, Deum precatus ut reverentiam vestram secundet in religiosis suis laboribus, eam ex animo salutatam relinquo. Decemb. 1611.

No. V.—(*Referred to at page* 11.)

*** *Memorial against Cecil and Champney, written by Persons, but presented in the name of the archpriest's agents. May* 26, 1606.

[Rough Draft, in the handwriting of Persons, Stonyh. MSS. Ang. A. iii. 61.]

Beatissime Pater,

Cum duo presbyteri ex Anglicanis appellantibus iterùm jam Romam venerint, Joannes nimirùm Cecilius et Antonius Champneus, contra quos extant catholicorum querelæ de rebus magni momenti, ad ipsius religionis catholicæ detrimentum, ab ipsismet et eorum sociis gestis vel commissis, ut ex duobus scriptis adjunctis manifestè patet, quorum primum diversa puncta, de religione ab illis per commercia cum hæreticis læsâ, aliaque crimina continet; alterum memorialis cujusdam exemplar, quod consiliariis regis Angliæ à Joanne Cecilio, paulo post suum ab urbe regressum, exhibitum fuit, quo non solùm

homines privati, verùm etiam cardinales aliqui, et regum oratores, imò et ipsi principes et sedes apostolica, calumniis falsis traducuntur, et in invidiam apud regem Angliæ vocantur;[1] et quia hoc jam in magnum causæ catholicæ Anglicanæ damnum cessisse creditur, et similia vel deteriora timentur ex hoc secundo ejus Romam adventu, nisi remedium adhibeatur,—præsertim ne majores inter sedem apostolicam et regem Angliæ, et catholicos exulantes, offensiones per eum excitentur, ex communicatione cum hæreticis,—ideò nos, archipresbyteri Anglicani procuratores, supplices à vestrâ sanctitate petimus, ut causam dignetur examinandam personæ alicui idoneæ, pro pleniore sanctitatis vestræ informatione, committere, et dicto Joanni Cecilio præscribere ut cautionem sufficientem det se ab urbe non discessurum, quoad criminibus contra eum objiciendis responderit. Dabitur autem personarum catalogus, ex quibus sub juramento, partim hìc Romæ, partim alibi, informatio peti poterit; qui licèt non omnes omnia, singuli tamen aliqua norunt. Deus Opt. Max. vestram sanctitatem diutissimè conservet. Romæ.

*** *Persons's Memorial against Cecil and Champney.* 1606.

[Rough Draft in Persons's handwriting, Stonyhurst MSS. Ang. A. iii. 73.]

Delli duoi preti Inglesi appellanti che sono venuti a Roma.

Benche s'intende che li procuratori dell' arciprete d'Inghilterra da-

[1] [Of this memorial, which is dated in 1603, two copies, one in Latin, the other in Italian, are still preserved among the Stonyhurst MSS. (Ang. A. iii. 38, 42). It seems to have been drawn up as an appeal to the clemency of James, and with a view to obtain the release of those catholic prisoners, who, by their previous services, were entitled to the favour of the new sovereign. For this purpose, therefore, it describes the intrigues of Persons and the Spanish party for setting aside the Scottish succession; mentions the breves addressed by Clement the eighth, in 1600, to the clergy and laity of England; and, having assured the council that, in every instance, the appellants and their friends had strenuously resisted these attempts, concludes by expressing a hope that men, who had thus evinced their fidelity to the crown, would not be suffered to lie in gaol, exposed to the ravages of the prevailing pestilence. With regard to Persons's remarks on this paper, it is only necessary to observe, first, that, notwithstanding his endeavour, both here and elsewhere, to charge it with falsehood, its contents are now known to be substantially true; and secondly, that, though he speaks of "*some* cardinals, ambassadors, and princes," as being calumniated by its statements, only *one* cardinal (Aldobrandino, cardinal of St. George) is mentioned or even alluded to, only *one* ambassador and *one* prince (the ambassador and king of France) is represented as participating in the discussion. I will add, as regards the "calumny," that Aldobrandino is merely represented in the memorial as a friend of the Spanish party, and the advocate of Persons's own schemes, while the king of France and his ambassador are said to have been opposed to the designs of Persons, and resolute in defence of the lawful succession. Under any circumstances, it would be difficult to imagine how *both* these parties could have been calumniated by such a statement.—*T.*]

ranno un memoriale più largo à sua beatitudine, della qualità, conditioni, et intenti di questi duoi preti, tuttavia li punti sequenti possono servire per qualche luce in questo mentre.[1]

Dicono dunque che delli quattro preti appellanti, che vennero à Roma nell' anno di 1602, il più vecchio, chiamato Bluetto, tornato in Inghilterra, andò subito à stare con il pseudovescovo di Londra (che adesso ha il luogo del arcivescovo di Cantuaria), et da li apoco morse, molto repentito, come alcuni scrivono, d' haver mosso fra li cattolici quella divisione.

Il secondo, Giovanni Musheo, con il Barbone, se reconciliò con l'arciprete, il che li compagni hebbero molto à male : mà questi duoi, Giovanni Cecilio et Antonio Champneo, si sono stato occupati sempre, in tutti questi quattro anni, in continuare la detta divisione fra Inglesi, parte in Francia, et parte in Inghilterra. Tutti duoi, essendo stato alunni di questo collegio Inglese di Roma, sono conosciuti per huomini d' ingenii inquieti e turbulenti, mentre restarono nel collegio, et dipoi :—et d'Antonio, ch' è il più giovane, è compassionevole, poiche era di buona capacità nelle lettere, se non l'havesse abandonato, per seguitare questi traffichi di fazione et di commercii con li vescovi heretici, &c.

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[1] [Of the original draft of the memorial here referred to, a fragment is still preserved at Stonyhurst (MSS. Ang. A. iii. 73); and to the reader of the foregoing pages it will scarcely afford matter of surprise to hear, that it is in the handwriting of Persons himself. If we may judge from what remains, it was little more than a repetition, in a somewhat enlarged form, of such parts of the scandalous document mentioned in the third volume of this history (Append. clvii. note), as related to Cecil and Champney. But an interval of four years, if it had sharpened the invention, had certainly not improved the memory, of the writer. In the earlier paper, he had generally confined himself to a succinct relation of supposed facts: in the later memorial, he becomes more discursive; throws in an occasional embellishment, which had not previously occurred to him; and then perhaps adds a date or a circumstance, which at once destroys the whole credibility of his narrative. Thus, for example, in the document of 1602, he assures the pope that, during the three years, from 1584 to 1586 inclusive, Cecil was in the English college at Rome, exhibiting the turbulence of his own disposition, and seeking to raise a spirit of rebellion among the students of the house (Gradwell MS., 196). In the paper of 1606, a totally different story is told. In that, the writer expels Cecil from the college in 1583; takes him to Padua, where he joins a relative, the grandson of the English secretary; and finally brings him back to Rome, apparently about the end of 1585, to introduce his relative to Dr. Allen. There are other discrepancies equally striking: but this is sufficient to shew the real value of the documents in question. I will only add, that, when the memorial of 1602 was presented to Clement the eighth, the pontiff said that "he was already satisfied, touching all the points" contained in it, "by that which he had heard before, and so, not suffering those accusations to come to the priests' hands, imposed there an end to such calumnies." MS. letter, endorsed by Garnet, apud Gradwell MS. 169.—*T.*]

Il suo compagno, Giovanni Cecilio, capo di questa missione, sta in peggior opinione assai appresso li cattolici buoni; perche, ultra che lui è stato mandato via, due ò tre volte, per sedizione, fuora del collegio prima, et poi della casa del cardinale Alano, fece diversi errori grossi in Spagna; et essendo dipoi mandato in Inghilterra et Scotia, due ò tre altre volte, nella missione, per ordine del detto cardinale Alano, regnando la regina Elizabetha, in nissuna di quelle diede buon conto di si: anzi li cattolici entrarono in grande sospetto di lui, che fosse spia delli Cecilii, suoi parenti, et ch'avesse tradito la causa commune, poiche fù liberato due volte, quando era preso, con straordinario favore; et una grande persecutione ne seguitò subito contra li cattolici, di modo che il cardinale Alano non solamente lo credesse, mà ancora lo scrisse di mano propria, che questo Cecilio haveva tradito ogni cosa alli heretici.

Perso poi ogni credito in Spagna, Inghilterra, et Scotia, con li cattolici, et in Italia con il cardinale Alano, andò à Parigi, e cominciò à inventare nuovi disegni, per acquistar favore; et offerendosi poi la separatione delli appellanti, si congiunse con loro, et venne con essi à Roma, nell' anno 1602, per haver la lingua Italiana et qualche prattica della corte Romana, benche altrimente poco creduto da loro: quali tornando poi à Parigi, e dato conto della negotiatione all' ambasciatore Inglese, e, per mezzo suo, al vescovo di Londra, et a Cecilio secretario, entrarono in Inghilterra, lasciando Giovanni Cecilio per agente loro con il detto ambasciatore in Parigi, per referire sempre à lui le cose che riceva dalli suoi correspondenti in Roma, et lui alli consiglieri d'Inghilterra, come consta per li suoi scritti.

In questo mentre, morendo la regina Elizabetha, et entrando nella corona il re ch'adesso regna, venne voglia a Giovanni Cecilio d'intrare in Inghilterra, dove essendo preso dall' officiali del re, per sospetto (perche al medesimo tempo li suoi amici Watsono et Clarco erano trovati in una congiura contra il re), egli scrisse subito un memoriale alli consiglieri, ricordandoli l'officii e servicii buoni che aveva fatto, non solamente per la regina Elizabetha, mà ancora per questo re, mentre stava con li suoi compagni in Roma, come diceva che si poteva vedere dalli scritti originali, che erano dati al detto ambasciatore in Parigi, et al vescovo di Londra, di tutta quella negotiatione Romana; et, perche gli mancarano fatti reali, finge molte cose essersi trattate e conchiuse in Roma, e brevi apostolici fattine da sua santità, e raggionamenti havuti da certi cardinali, che mai furono pensati:[1]—et questo

[1] [How Persons, who was not only conscious that it was false, but was aware also that its falsehood must be known to those whom he was addressing, could

suo memoriale sta gia in Roma, e si puo provare con molti argomenti.

Hora, come venero con questi disegni l'altra volta, mandati secretamente dall' heretici, et in favore loro, et come, alla tornata, et mentre stavano qui, avisarono li detti heretici di tutto che passava, et, doppo la tornata in Francia et Inghilterra, trattarono più che mai con li detti heretici, non ostante la prohibitione del breve di papa Clemente in contrario, cosi non possiamo pensare altra cosa adesso, si non che vengono con intelligenza secreta con li medesimi heretici, et che, alla tornata, li scriveranno come prima, particularmente in far più divisione fra li cattolici, si sua santità, con sua prudenza et autorità, non lo remedii adesso, mentre che stanno presenti.

Loro non vanno al collegio, ni vogliono trattare con persona alcuna di quello, benche siano stati cortesemente invitati per molte lettere; ni manco parlano fin qui con alcuno che sia della unione dell' arciprete: et questa medesima strada pigliarono, l'altra volta, *per non mettersi in suspetto con li vescovi e consiglieri heretici d' Inghilterra*[1]. Quello, che si desiderarebbe da sua beatitudine, sarebbe che si comettesse la causa à qualche persona indifferente, ad informandum di questi et altri simili punti che si sanno, et hoc ex juramento diversorum hominum, delli quali si darebbe la lista.

*** *Persons to Cecil and Champney. July* 16, 1606.

[Persons's own Copy, Stonyhurst MSS. Ang. A. iii. 63.]

Reverendi in Christo Patres Fratresque,

Postquam nullo me officii genere, quod sæpius vobis per internuncios obtuli, id consequi posse video, ut vel ad sermonis colloquium, vel ad conversationis externæ consortium, vel ad ipsam quidem orationis communionem in ecclesiâ nostrâ ineundam (quod non mediocrem certè animorum alienationem indicare videtur), adduci velitis, ad hanc tandem vobis scribendam epistolam inductus sum, ex eo maximè quòd Salvatoris illud præceptum de septuagies septies non tantùm in condonando fratribus, verùm etiam in eisdem quærendis ac reconciliandis, cum opus est, exercendum censeo.

Cum ante quatuor annos hìc Romæ essetis, ac simili à nobis divortio, non sine plurimorum admiratione ac scandalo, uteremini, nullam, ut

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nevertheless commit this declaration to writing, is beyond all comprehension.—The reader is, of course, aware that the breves which he says "were never thought of", are those which are addressed to the clergy and laity in 1600, and which I have described and printed in a preceding part of this history. Vol. iii. 60, Append. cvi, and vol. iv. 35, Append. lxx.—*T.*]

[1] [See the next note.—*T.*]

scitis, viam intentatam reliquimus, quâ vos ad fraternam aliquam reconciliationem, sine ullo causæ vestræ, aut negotii quod tractabatis, præjudicio, pertrahere possemus: sed nihil processit, causantibus vobis primùm differendam rem esse usque ad causæ definitionem; definitâ verò à summo pontifice causâ, aliam excusationem intulistis, ne offenderentur, scilicet, principes à quibus commendati fuistis,—sed quinam illi principes fuerint posteà patuit. Nunc opinor eandem excusationem non prætexetis; quam ego tamen tunc accipiens, bonique consulens, Parisios usque vos revertentes literis humanissimis comitatus sum, die primo ineuntis anni 1603, quibus vos vehementer rogavi atque hortatus sum ut, terminatà jam lite, et decisâ à Christi vicario totâ controversiâ, ad antiquam animorum unionem reverteremur. Sed nihil profeci, neque ullo me responso dignati estis; sed alter vestrûm contumelioso potiùs cachinno derisit, ut ex ipsius in Angliâ scriptis literis apparet[1],

[1] [In the letter of January 1, 1603, to which he refers in this passage, Persons expresses his disappointment that the deputies had rejected his overtures for an interview, during their stay in Rome. In the memorial of 1606, the same fact is urged, as a special ground of accusation against them (see the preceding page); and, in the present letter, the charge is again repeated, if not in the most conciliatory, at least in the most explicit, terms. Will it be believed that, only a short time afterwards, this very man could write to his friends in Flanders, declaring that the *deputies* had *solicited*, and that *he* had *refused*, the interview?—"li sacerdoti desideravano venire al collegio, et parlar al P. Personio, mà lui non voleva" (Original MS. in my possession). Nor is this all. In the memorial of 1606, he expressly charges the deputies with having been the emissaries of Elizabeth and the English council, and declares that, in rejecting his invitation to the college, they had been actuated by a fear of giving offence to their employers (see the preceding page): in the present letter, though he ventures not to state it as broadly as in the memorial, he is careful at least to renew the substance of the charge, and to insinuate its most offensive parts, in terms as intelligible as they are insulting,—"sed quinam illi principes fuerint postea patuit:" and yet it is a fact, that, in the very letter of January 1, 1603, to which he refers with so much self-satisfaction, he not only acquits the deputies of all blame in the proceeding, but also positively declares that they had acted under the advice of the French ambassador, the common friend of both parties!—I subjoin his words:—"Another cause," he says, addressing Champney and his companions, "that moved me to write to you four in particular was, that, whereas I had taken some little grief of mind (to confess the truth) at your departure from hence, without speaking with any of us, your old friends and brethren, notwithstanding the many invitements thereto, which I made unto you, both by word of mouth, messages, and letters, * * * now I understand *for certain*, and this *from the principal personage himself"* (the French ambassador), "*to whom you had recourse here in your affair, and* [*who*] *is very friendly at this present to us all, that* HE *was the chief let or stay of this our desired meeting and conference;* his excellency being moved thereunto, lest her majesty of England, who had recommended you and your cause to his prince and master, and is said to hold us for her adversaries and enemies, should be offended therewith:—so as, *this defect coming not of yourselves*, I was the sooner induced to write this unto you", &c. (Orig. Draft, apud Stonyhurst MSS. Ang. A. iii. 30).—Again I must repeat what I have already expressed in a preceding volume of this history,—that, painful as it is to contemplate these continual violations of truth and justice

Imò hanc omnem meam diligentiam intelligo vos timori ascribere; et non injuriâ quidem: fateor enim me valdè divinum hac in re judicium timere. Quis enim non timeat, cum audiat apostolum inimicitias, contentiones, æmulationes, iras, rixas, dissentiones, atque invidias, inter opera carnis enumerantem, et gravissimè deinde his verbis comminantem,—"quæ prædico vobis sicut prædixi, quòd qui talia agunt regnum Dei non consequentur"? Quis non timeat cum audiat alium apostolum, amicum sponsi, toties repetentem,—"qui odit fratrem suum," &c. * * * Hæc, inquam, vehementèr timeo; cætera non est quod timeam; sed cum, quotidie offerens ad altare Domini, recordor vos, fratres meos, aliquid habere adversùm me aliosque fratres vestros, neque velle tamen sermonem nobiscum eâ de re miscere, nec in tam longo temporis spatio reconciliari, justum est ut timeam. Timor tamen iste, ut verum fatear, non tam meâ quàm vestrâ causâ est: nam, cum animum meum ab omni vestrûm odio longè abesse sperem, et ad altare Dei quotidie pro vobis preces fundam, viasque omnes

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and honesty, and, more especially, to see them united, as in the present letter, with such earnest professions of charity and religion, still, the rancour, with which the characters of many of the appellants are even yet pursued by a certain class of writers, renders it imperative to expose the real value of the principal, if not of the only, original testimony against them. Let me add, that nothing can be more just, nothing more forcible, than many of Persons's exhortations to union. But the misfortune was, that he overlooked his own position and his own duties: he contented himself with exhorting others to peace, instead of establishing it by his own example: and whilst, in the tone of a master, he was commanding the waters to be still, he forgot, or appeared to forget, that he was himself exciting the tempest by which they were agitated. "Only father Persons do guide", was the complaint even of a jesuit, Creitton (vol. iv. 154, note, ante): and this exclusive power of government had become so habitual with him, that the words *union*, *charity*, and *religion* seem to have conveyed no other notion to his mind than that of a blind submission to his will.

As I have had occasion to refer to the letter of January 1, 1603, I will take this opportunity of remarking that the original draft, which is in English and in Persons's own handwriting, is still preserved at Stonyhurst (MSS. Ang. A. iii. 30); and that the Latin translation, published by Mr. Plowden (Remarks on Berington's Panzani, 341), is not always faithful. Thus, where Persons, speaking of the French ambassador's motive for preventing an interview between him and the deputies, says to the latter, "his excellency was moved thereunto, lest her majesty of England, who had recommended you and your cause to his prince and master, and is said to hold us for her adversaries and enemies, should be offended therewith", the translator, in somewhat ungrammatical language, actually makes Persons say that the refusal of the interview was the consequence of an express condition imposed by Elizabeth, when she recommended the deputies to the French monarch:—"Ad quam rem se affirmat sua excellentia fuisse commotum, ne inde reginæ nostræ justa daretur offensa, quæ vos vestramque causam regi christianissimo *eâ conditione commendaverat, ne Romæ cum iis, quos pro hostibus ac inimicis habet, commercium* HABERENT" (Plowd. 343).—This interpolation could scarcely have been the effect of accident.—*T.*]

quibus vobis conciliare possem perscrutatus fuerim, neque conscius mihi sim ullam dissentionis hujus causam unquàm spontè a me præbitam fuisse, spero clementissimum Dominum, pro suâ misericordiâ, nullam tantorum scandalorum partem, quæ inde profluxerunt, atque indies profluunt, mihi esse daturum crimini, sed doloribus potiùs maximis, quos ex eis passus sum, benignè repositurum. Vobis verò cogitandum erit, quid ad vos pertineat, qui eandem dissentionem, tot jam annis ardentem, totque sedis apostolicæ decretis reprobatam atque profligatam, fovere ac promovere videmini.

Certè illud unum vel maximè vos commovere deberet, non solùm quòd catholici omnes eam toto corde aversantur, hæretici verò amplexantur, ac ad suum eâ commodum abutuntur, verùm etiam quòd, in conventu celeberrimo his annis coacto, rex ipse et qui à consiliis ei sunt, publicè professi sint hanc discordiam, ut reipublicæ suæ utilem, modis omnibus in damnum nostrum fovendam esse; quod et publicis deinde typis excusum est;—quo quis acrior stimulus nobis esse deberet, ut ab hac tandem dissentione prosequendâ desistamus? Dominus Jesus Christus spiritum suum nobis infundat, ut eundem modò habeamus de his rebus sensum, quem in horâ mortis habituri sumus. Is vos nosque custodiat semper. Ex collegio Anglicano, 16 Julii, 1606.

Servus in Christo,

Robertus Personius.

Endorsed by Persons Himself,—"Epistola P. Personii ad Cecilium et Champneum, Appellantium causam Romæ agentes. 16 Junii, 1606."

No. VI.—(*Referred to at page* 12.)

Father Augustine (*Bradshaw*), *Prior of the Benedictines at Douay, to Nicholas Fitzherbert. August* 7, 1607.

[Copy formerly in Douay College.]

Quæris à me, nobilissime domine, et amice singularis, quid censeam de negotiatione repentinâ et inexpectatâ aliquorum, qui in sanctâ illâ curiâ episcoporum nationis nostræ ordinationem totis nervis satagunt; et cùm antea agentibus hoc ipsum aliis, quantum fieri potuit, isti novi negotiatores restiterint, nec aliquos tunc hoc prælationis gradu dignos invenerint, nunc tam multos repererunt. Meam hac de re sententiam, quoniam tu ita jubes, cui nihil possum nec debeo denegare, paucis verbis aperiam. Cùm autem *meam* sententiam dico, intellige non meam solius, sed plerorumque fratrum meorum cum quibus hanc rem contuli, quorum à sententiâ nullus nostri ordinis dissentiet.

Et quidem, nisi ex teipso audivissem, hoc nunc ab istis agi, certè

in animum mihi non induxissem ut crederem. Quanquam enim multorum sermonibus acceperam, episcopos nunc seriò deposci, tamen rumores esse credebam, non veritatis nuntios. Quoniam memini me vidisse literas D. Cecilii (unius ex legatis sacerdotum, qui idipsum non ita pridem à sanctissimo domino nostro postulaverunt) ad quendam amicum meum datas, in quibus scripsit, non potuisse ipsos ullo modo convenire de hac re; sed quos una pars nominabat huic fastigio idoneos, altera rejiciebat ut indignos et ineptos. Quapropter non existimabam, eos, qui tunc non poterant reperire quem huic honori objicerent, nunc repentè aliquos, tanquam novi quidam Promethei, excussisse. Tibi igitur primo omnium fidem adhibeo ista narranti.

Quod autem ad ipsam rem attinet, equidem existimo episcopos necessarios esse regnis Angliæ, si modò possint tales eligi, qui sint verè adiaphori; non personarum acceptatores, sed omnibus æqualitèr accepti, et, ob hujusmodi indifferentiam (ut ita loquar) animorum, omnibus nominati. Tales, inquam, necessarii sunt, non solùm pro sancto chrismate conficiendo, ministrandoque confirmationis sacramento (quod, si unquam antehac in ecclesiâ, nunc certè in Angliâ necessarium est, ad vacillantes catholicorum animos in fidei confessione corroborandos), aliaque id genus episcopalia munera, sed præcipuè, ut illustres personæ, in sublimi illâ dignitate collocatæ, majori in veneratione à clericis catholicisque habeantur, et authoritate suâ annosum hoc dissidium tollant; et ut clerus Angliæ, veram nactus hierarchiam suam, augustior, venerabilior, terribiliorque ipsis hæreticis, eorumque patri diabolo, reverà sit, et esse appareat. At verò si tales episcopi præficiantur, qui non à pacatis hominibus postulantur, sed ab iis quorum animi diuturnâ utrimque simultate conflagrarunt, non potest ullum inde bonum miseræ Angliæ oriri; sed erit majoris potiùs incendii causa talis ordinatio. Sic enim fiet, ut partes, huc usque periculosissimè dissentientes, non solùm non deponant odia, sed eadem majori molimine resumant, animisque longè deteriùs exulceratis persequantur. Quæ sanè simultas sola causa est (si quid humanæ conjecturæ possunt assequi) cur miseranda patria nostra nondùm ad gremium catholicæ ecclesiæ reducta sit. Quare, si illi eligantur in episcopos, quos pater Personius, et jesuitæ nostrates, eorumque sectatores proponunt, hæc odii sentina non minuetur, sed augebitur. Idemque fieret, si illi assumerentur, quos altera pars nominaret; quicquid enim ab horum molitione proficisceretur, id omne esset meritò alteri parti suspectum. Quòd si fiant illi, quos viri pacati, neutri parti dissentientium addicti, sed solius gloriæ divinæ studiosi, nominaverint, nulla potest subesse vel suspicionum causa novarum, vel veterum querelarum renovandarum occasio.

Quod autem dixi, episcopos esse necessarios, velim sic accipi,—pro Angliâ, et in Angliâ ipsa, ipsos esse necessarios; non autem sicut audivi ab aliquibus postulari, et à præside hujus seminarii insinuatum esse, scilicet, ut ex tribus episcopis et archiepiscopo (tot enim cogitat ille) unus hæreret in curiâ Romanâ, alter in curiâ regis Hispaniæ, alter Bruxellis, et alter in Angliâ: hoc enim esset procuratores facere, non episcopos. Necessitas autem omnis episcoporum, post sanctum chrisma, est regimen cleri in ipsâ Angliâ existentis; nimirùm, ut clerici, sub unâ viventes hierarchiâ, cessent à mutuis dissidiis et simultatibus. Quare unus sufficit qui hæreat in curiâ Romani pontificis, qui suæ sanctitati suggerat ea quæ necessaria sunt pro Angliæ necessitate: reliqui autem duo, tresve, aut quotquot futuri sint, in diversis ipsius Angliæ partibus maneant. Quid enim opus est episcopis in curiis principum sæcularium? Nonne speciem id præ se fert concitandi principes illos contra patriam suam?—à quâ suspicione procul debent esse, qui episcopi futuri sunt. Si enim, in Japoniis et Chinis convertendis, necessarium duxerint patres jesuitæ, ut quàm paucissimi aliorum ordinum ibi versarentur, ne viderentur potiùs subversionem sceptrorum, quàm conversionem animarum meditari, quantò magis in Angliâ id observandum est, ut omnis hujusmodi cesset suspicionis ansa? cùm illud sit unicum telum, quod adversùs catholicos torquent hæretici nostrates,—esse, scilicet, eos seditionum studiosiores, quàm fidei suæ propagandæ: quod utinam non, exemplis aliquot, nostrorum hominum præcipitantia quodammodò comprobasset.

Quod autem attinet ad eos, quos ego, et nostri amici fratresque dignos existimant, primùm loquor de iis, quos, patre Personio procurante, nominandos audivi. Hi sunt D. Thomas Worthingtonus, hujus Duacensis seminarii præses; D. Wrightus, decanus Cortracensis; D. Blackwellus, archipresbyter Angliæ; D. Thomas Fitzherbertus, cognatus tuus. Primum et secundum liberè pronuntio esse omnium, qui nominari possunt, indignissimos; tùm quia homines nullius authoritatis apud suos, nullius famæ apud exteros, nullius nominis apud hæreticos, quos nunquam scriptis, aut factis, aut consiliis, cum ullâ laude, impugnarunt; tùm quia tales ab omnibus cognoscuntur, qui jurarunt in verba et consilia Personii jesuitarumque nostratium, nihilque audeant præstare, nisi quod ipsis videant placiturum: id quod nos hìc experti sumus, cùm utrique illi ex collegio suo multos adolescentes optimæ spei expulerint, nullam aliam ob causam, nisi quia alterius ordinis religiosis plus favebant, quàm patribus societatis. Præses autem seminarii, impellentibus jesuitis, ea contra nos locutus est et sparsit in vulgus, et apud abbates nostros principemque ipsum calum-

niatus est, quæ ipse novit esse falsissima, quæque vel ipsi hæretici erubescerent fingere, solùm ut nos è Duaco ejiceret, et in odium induceret. Tertius, D. Archipresbyter, vir certè venerabilis est, optimi animi, maximique meriti (si Deus illi dederit constantiam in vinculis suis), omninòque talis, quem vix ulla alia ratio faceret indignum hoc honore, nisi quòd plus quàm par erat, aut per bullam pontificiam ei licebat, à patribus jesuitis semper dependerit, ac propterea ab acceptatione personarum non omninò fuerit immunis, si presbyteris appellantibus credendum sit, qui hoc ipsi objiciunt. Thomas Fitzherbertus magis jesuita est, quàm ullus istorum. Adeò suspectus est statui Anglicano, ut libris impressis seipsum purgare cogatur à proditionibus illi ab Anglis objectis: quem omnes norunt ita affectum, ut potiùs à seipso, quàm à Personio velit dissentire, à quo jam aliquot annos dicitur (sicut in Hispanico collegio præsens quidam ex fratribus meis meminit jactatum) ad cardinalatum designatus. Sed quamvis non culpem ipsius erga patres affectum, quem et ego profiteor, tamen hâc in re nemo est admittendus, qui tali affectu totus possidetur. Quòd si isti essent reverà cæteris in rebus idonei, tamen cùm sint ad hoc propositi ab unâ parte dissentiente, ut alteram partem corrivalem faciliùs opprimeret, quomodo existimandum est pacem inde consecuturam, præsertim cùm alterius partis deputatis, jam Romæ hoc ipsum agentibus, non fuerit concessum? Si hoc, eis absentibus, concedatur ipsorum adversariis, an non meritò dolebunt, nullam suî rationem habitam fuisse? Neque enim illorum numerus parvus est, ideoque negligendus; sed longe maximus, et, si merita personarum, eruditionem, authoritatem, prudentiam, experientiam, labores, et martyria spectes, longè nobilior adversâ parte, quæ licet jactet majorem numerum, certè non potest veracitèr nobiliorem. Et qui in hâc appellantium acie steterunt hactenùs, non pauci juvenes, sed (quantum ego vidi) plerique omnes antiquissimi, primoresque sacerdotum cleri nostri sunt. Et profectò (ut de majori numero dicam) nescio quo consilio tot adolescentes sacerdotes, ignaros, indoctos, inexpertos, in Angliam, tanquam immaturos tyrones, miserint nonnulli ex collegiis suis, nisi ut, tales cùm essent, ab ipsorum imperatis omninò penderent, et ipsi, per *antiperistasin* quandam, inter indoctissimos soli docti apparerent.

Quos igitur, inquis, existimatis, vos Benedictini, his honoribus dignos esse? Duplici è gradu hominum aliquos tibi subligam,—ex clericis et laicis. Ex clericis quatuor tibi exhibeo, meo omniumque fratrum meorum judicio, maximè idoneos,—D. Matthæum Kellisonum, D. Richardum Smithæum, D. Gulielmum Giffardum, veteranos theologiæ doctores, scriptisque ac disputationibus suis hæreticis formida-

biles, et D. Arthurum Pitseum, Lotharingiæ legationis sub cardinale cancellarium. Kellisonus, si quis alius, inter Anglos omni generi bonorum hominum amabilis est, nulli exosus aut inimicus ; non patribus jesuitis contrarius, non sacerdotibus appellantibus infestus; naturâ mitissimus, maturus consiliis, longissimèque remotus à præcipitantiâ et simultate ; non solùm nostris hominibus gratus, sed exteris etiam charissimus, Rhemensibus præcipuè, quorum academiæ rector aliquoties fuit, et est adhùc primarius theologiæ professor ; ipsi regi statuique nostri regni nullo modo perosus, propter summam hominis modestiam, morumque candorem, quæ in ipso sita esse perspexit, non modò ex relatione suorum, sed etiam ex doctissimis ejus scriptis, in quibus rex ipse modestiam cum eruditione conjunctam laudavit. Richardus Smithæus, cardinalis Alani affinis, eidemque charus dum vixit, theologiæ doctor in academiâ Vallisoletanâ à patribus jesuitis factus, postquam magnâ cum laude aliquot annis in ipso seminario docuisset; homo acerrimi ingenii, singularisque judicii, maturæ ætatis, magnæque prudentiæ et experientiæ ; qui jam novem annos in Angliâ insignitèr contra hæreticos laboravit, doctissimis scriptis impressis, concionibus crebrò habitis, maximèque exemplo inculpatæ vitæ, et ecclesiasticæ gravitatis et constantiæ ; amantissimus pacis, et utriusque partis studiodissimus. Et hi duo sic à me nominantur, ut certo certiùs sciam, nullam omninò exceptionem contra eos fieri posse, aut admitti debere. Giffardus notissimus est catholicis Anglis, tum eruditissimis scriptis, tum nobilitate generis ; hospitalitatis et eleemosynarum gloriâ, candoreque incorrupti animi celeberrimus ; in quo, præter religionem, nihil reprehendunt hæretici nostrates, propterea quòd semper abfuerit à consiliis seditiosis in Angliâ concitandis, regique ipsi non omninò ingratus, cujus titulo favebat unicè Giffardus, dum adhuc Scotiæ ostentabat animum catholicis faventem. Qui ipse, cùm, indictâ causâ, homo ecclesiasticus à nonnullis æmulis ejectus sit in exilium, meretur certè ut calamitatem ipsius summus pontifex hâc dignitate consoletur. Vir est sanè doctissimus, nobili ortus familiâ, magnanimus, maturæ ætatis, maximo in pretio et amore ab omnibus habitus, nisi ab eis solis, qui ipsius injuriæ fuerunt authores, quique omnes æquè persequuntur quos sub nutu suo regere se posse desperant. D. Arthurus Pitseus, in universâ Lotharingiâ celeberrimus, duci ipsi et principibus charus, præcipuè cardinali, qui eum cancellariatu suo ornavit, maximamque in ipsius religione ac pietate fiduciam ponit : homo magnæ eruditionis in theologiâ et canonibus, summi zeli, mitissimorum morum, sine omni felle, procul à præcipitantiâ, qui diù in Angliâ ipsâ pro fide laboravit, ætatis constantis et maturæ, nobilitate

etiam generis conspicuus. Audio etiam multa bona narrari à fratibus meis de D. doctore Thornello, canonico Vicentino, viro undiquaque doctissimo, nobili, maturo, in rebus agendis tractandisque magnæ experientiæ, quem etiam tibi notum esse arbitror. Prætereo hìc multos dignissimos viros ; utpote D. doctorem Bagshaum (virum eruditione, confessione, vinculis, tormentis pro fide superatis notissimum), Colletonum, Champneium, Mushæum, et alios, qui Romæ nuper hanc ipsam rem, de quâ agimus, egerunt: prætereo, inquam, istos ; quia, licèt pro meritis suis sint, et habeantur à nobis, dignissimi, quia tamen in causâ contentionis magna pars sunt, existimavi eos potiùs nominandos, qui in hujusmodi simultate non versentur.

Atque hos quidem de clero nominavi. De laicis (nam inter illos fortasse multi reperientur maximè idonei, ut olim Ambrosius Mediolani, et Nectarius Constantinopoli), de laicis, inquam, neminem habeo quem libentiùs nominem, quàm teipsum, nobilissime Nicolae, propter singularem pietatem eruditionemque tuam, et fidem in illâ causâ spectatam, ætatemque jam maturam, quæque ætatem illam sequuntur, rerum omnium experientiam, nobilitatem generis tui, vitæque integritatem. Quod non dico ut tibi aduler, sed quia adjurasti me, ut animorum nostrorum sententiam fidelitèr tibi perscriberem : ideò, quod sensi ingenuè scripsi.

Ecce nominavi viros omnes doctissimos, ex quibus tres primi, si eruditionem, gravitatem, et authoritatem scriptis factisque spectatam, spectes, non habent profectò ipsis comparandos in universo clero Anglicano ; imò nec in ipsis regnis vicinis, in quibus duo ex illis, Kellisonus et Giffardus, velut duo luminaria, jam per plurimos annos fulserunt. Duo autem primi, Kellisonus et Smithæus, non admittunt ullam exceptionem : Giffardus et Pitseus fortasse in aliquorum opinione admittent; at reverà ipsorum dignitas, authoritas, innocentia, facilè quorumvis opiniones superabunt. Contra Thornellum audio nihil posse objici : contra teipsum nihil credo audere eos proferre, cùm præsentiæ tuæ lux omnes calumniarum nebulas fugabit. Et quid simile Wrightus, Worthingtonus, et Thomas cognatus tuus, et alii similes ? Giffardus jam viginti quatuor annos doctor est theologiæ in Mussipontanâ academiâ ; per totidem ferè Kellisonus ; uterque per tot ferè annos theologiam professus est, et Kellisonus adhuc profitetur. Smithæus per decem annos doctor est : omnes tres eruditissima patriæ nostræ lumina, scriptisque suis illustrissimi. Giffardus, usque ad hanc calamitatem invidorum operâ sibi injectam, decanus Insulensis fuit. Pitseus celeberrimæ legationis Lotharingicæ sub optimo cardinale cancellarius, cùm antea decanus Liverdensis exstitisset. Si eruditio, si

authoritas, si prælatio, si animorum indifferentia, si maturitas annorum, si nobilitas, si omnia summa faciant ad hanc rem idoneos, possintque in ullo Anglo inveniri, in istis profectò invenientur hæc omnia; et, præter hæc omnia, illud unum maximi ponderis, quòd nullus istorum odio habeatur ab hæreticis statuque Anglicano, nisi solius religionis causâ. Non sunt rei proditionis ullius; non habentur pro seditiosis vulgi nobiliumque concitatoribus; imò cognoscunt Angli, istos, quos nominavi, ab hujusmodi consiliis abhorrere, semperque abhorruisse. Quod solum profectò sufficit, ut alios, quos supra rejeci, ex Albo episcoporum expungantur; cùm episcopi filii pacis esse debeant, et non seditionum seminatores. Cùm igitur ipsa, per se, episcoporum pro Angliâ ordinatio res sit, quæ hoc tempore exasperatura sit regem statumque regni Anglicani, si isti, quos ego nominavi, ordinentur, mitiùs rem ferent hæretici, dignitate, innocentiâ, et eruditione ordinatorum convicti: sin autem illi alii, aut illorum similes (quos seditionum accusant hæretici; quos actionis illius cunicularie nuperæ conscios se putant probavisse; quos de hoc rege excludendo, et extraneo inducendo, sciunt et palam scripsisse, et secretò consilia contulisse)— si illi, inquam, tales ordinentur, profectò certissimum periculum erit, ne omninò catholicorum pauperes reliquiæ ex Angliâ exterminentur. Nec deerit hæreticis persequendi probabilis color, si quos ipsi norunt hujusmodi politicis (ut nunc loquuntur) consiliis delectari, eos viderint etiam à sede apostolicâ Romanâ in cathedram innocentiæ sublevari.

Hæc liberrime ad te scripsi de re propositâ, nobilissime et amicissime Nicolae, fretus prudentiâ tuâ, quâ spero te sic sententiam meam fratrumque meorum exquisivisse, ut tamen eam tibi reserves, neminique nostratium patefacias; ne nobis inde crees periculum, minimèque necessarias inimicitias. Cæterùm, ista scripsimus, non ut ulli injuriam faceremus; non quòd ulli hanc dignitatem invideamus; non quia plus æquo his aliisve addicti sumus, aut ab istis alienati; sed hæc scripsimus, quia sic nobis dictavit recta (ut opinamur) et se minimè quærens conscientia; quia reverâ, propter reverentialem amorem, quo sanctam sedem dominumque apostolicum prosequimur, omnes nos, Benedictini nominis hæredes, cupimus ut omnia sic fiant, quatenùs ad ipsius dignitatem et exaltationem cedant; ut qui sequuntur cœlestem ipsius fidem, in eâ magis confirmentur; et qui nondum sequuntur, suavitèr alliciantur: non autem ut qui vacillant, vacillent adhuc; et qui alieni sunt ab eâ, alieniores sint adhuc; sicut per nonnullorum consilia factum esse hactenùs in Angliâ nostrâ experti sumus. Reliqua de negotiis nostris proximâ hebdomadâ scribam Bruxellis. Literas omnes tuas, maximè quas maximè volebam, accepi

et tradidi. Interea, vale felicitèr, nobilissime domine, singularisque amice; nosque, ut soles, ama et adjuva. Duaci, 7 Augusti, 1607.

V. J. D. observantissimus et fidelissimus in omnibus,

D. AUGUSTINUS, *Prior.*

No. VII.—(*Referred to at page* 16.)

[Of many of the letters, in this and the four following numbers of the Appendix, Dodd printed some detached extracts, but those, in general, extremely short. Together with some additional papers, I have also, I believe, supplied all that is material in what he omitted. His extracts are distinguished by inverted commas.—*T.*]

*** *Persons to Birkhead, May* 18, 1608.

[Copy in Dodd's MS. of his History, iii. 138.]

Right Reverend, my good Sir,

* * * I wrote not long ago unto your good patron and mine[1], to give him satisfaction about a letter of his, not delivered some years gone; wherein I do assure you, upon my conscience, I proceeded with as great a desire to serve him, and to do that which I presumed himself would have commanded to be done, if he had been present, as possibly I could; and this not out of my own judgment only, but with consultation of the best and most secret friends I had here of our nation, that most loved and favoured the party, and were of opinion that, the time and evil circumstances considered, the best was to do as we did, for most safety of your patron. "If I presumed overmuch of "his approbation, it proceeded out of too much respect, and shall be "amended, God willing, by punctually doing his prescribed will, without "any επιεικεια on my part;" for I so love and honour the party from my heart, or anything that belongeth unto him, as, in all occasions, I have endeavoured to shew, and shall; and therefore, I pray you, obtain a final end of this, which, I take our sweet Saviour to witness, proceeds only of mere simplicity and confidence, as I have said. His merits are such to God's cause &c., that "I cannot but feel this last disgust "of his; but I hope that, out of his good nature and great charity, he "will deliver me from this solicitude; whereof, I pray you, advertise "me in your next." * * This eighth of May, 1608,

Yours &c.,

ROB. P.

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[1] [Lord Montague.—*T.*]

*** *Fitzherbert, under the name of Swinnerton, to Birkhead, May* 18, 1608.

[Copy in Dodd's MS. of his History, iii. 158.]

Right Rev. Sir,

* * * I have received the copy of your Latin letter, and like it singularly well: only, I would wish you hereafter, whether you write to the same party or any other of like quality, to be as brief as the matter will give you leave; and this especially "if you write to "Paul; for otherwise your letters may be remitted to others, to be read "and related, and not read by the parties themselves; which would "hinder the good effects that otherways may be expected:—and of this "we have so much experience here, that I think it important to be "known and considered of you[1]. * * *

"Having understood that your old and best patron[2] hath con- "ceived somewhat hardly of father Persons, for not delivering certain "letters of his, sent two years ago, or thereabout, to Paul, I can do no "less than testify unto you what I know thereof. * * * The truth "is, that father Persons, receiving the foresaid letters, and considering "the danger of those times, and divers other inconveniences concurring, "consulted with some few confident friends, whereof myself was one, "whether it were more convenient to deliver the letters themselves, or "to suggest and represent the effect thereof to the party to whom they "were written; and the same to be done in your patron's name, and as "by particular commission from him: and it seeming to us that the "latter would be the most secure" and safe way for your patron (in respect of some examples we had before seen, of important matters published by the negligence of such as had the keeping of letters and papers of that quality), "we presumed so far of your patron's allow- ance" that *we resolved to open the letters*, and to represent the contents in his name; which, I assure you, was done effectually, and with as ample a relation of your patron's great worth and merits as he himself could have wished. * * And one reason, amongst others, which moved us, at that time, rather to deliver the effect of the letters, than the letters themselves, was the great length of them, whereby we assured ourselves that the party would not read them, but remit them to be related to him by others, who would not, perhaps, do it so

[1] [Dodd, omitting the commencement of this passage in his printed work, has made Fitzherbert say,—"if you write, write to Paul; for otherwise" &c.,— an interpolation, which gives a totally different meaning to the passage.—*T.*]

[2] [Lord Montague.—*T.*]

effectually as we desired. And this is the truth; and, if your patron conceive otherways, he is much deceived, and doth great wrong to us his servants here, and especially to father Persons, in whom I have ever seen so much love and affection towards him, and such endeavour, in all opportunities, to advance his honour and reputation, as that I must needs say "he deserves a far better construction of his action " herein than, as I understand, your patron maketh;" for, God is our witness, we had no other designment or meaning in the world, than God's service with your patron's satisfaction; "though it may be, we pre- " sumed too far of the confidence that we thought he reposed in us, and " consequently of his approbation of what we should think most fit to " be done," the condition of this place, that time, and the matter itself being considered. * * And so I take my leave, recommending you to God's holy protection. From my old residence, the 18th of May, 1608[1].

Yours as my own,
T. SWINNERTON.

No. VIII.—(*Referred to at page* 20.)

*** *Persons to Birkhead, May* 31, 1608.

[Copy in Dodd's MS. of his History, iii. 141.]

Right Rev. good Sir,

Yesterday, I received yours of the 14th of April, &c. I do easily conceive the difficulties you have with your new charge; but God, I trust, will help you out, and assist you every way. * * "I do not doubt but that you shall find all my friends to be faithfully " yours, in all occasions; which Signor Paul (*the pope*), doth greatly also " wish: and, for that respect, was the former clause left out of restraint[2], " which was procured by the clamour and importunity of some, as you " know, and caused some strangeness between them and your prede- " cessor." * * * *

You do very well to seek to give contentment to the people you write of, in all points that you may, without prejudice of the common

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[1] [These explanations, however, do not appear to have satisfied Montague; for Persons, writing to Birkhead on the twenty-sixth of the following November, thus again mentions the subject:—"I am sorry your best friend makes such difficulties to interpret well the proceedings about his letter. I presume it cometh not from himself; for, where so much dutiful affection was in the doers, and so much reason (the time being considered) to do it, I cannot persuade myself that his own good nature would take it so evil". Dodd's MS. of his Hist. iii. 138.—*T.*]

[2] [The clause in the breve of 1602, which forbad the archpriest to consult the jesuits, in matters relating to the clergy and their government.— *T.*]

cause: and if by sweet means you may unite them, or some of them, again to the body from which they have divided themselves, it shall be a very good deed, as I will hope that you may; imagining that they must be weary, by this time, of so much contention, without any utility at all, either to themselves or others, but rather a great loss to both: but yet, if they should be wilful, and require things unlawful or prejudicial at your hands, you will see, both in wisdom and charity, that you are not to gratify them therein.

"The man, whom you name as mouth of the rest[1], is a man of "a strange humour and strong passion, that, in so many years, relenteth "nothing towards union and peace. And whereas he would have you "to give over your correspondence with your old friend Mr. Thomas[2], "my counsel should be, that, before you leave him for their sakes, that "they provide you of another, so fit, able, and willing as he is, to further "the common cause. I know few of our nation like him.

"As for sending one of them, or of their company, to be here your "agent in this place, for quietness' sake, as you say, I doubt me it will "breed great unquietness, if he be not a very quiet man indeed; albeit "I assure myself that Mr. Fitzherbert would be glad to excuse the "labour, and I should be well contented to see him well excused thereof, "if you could find one of them that would be both confident to you, and "current in conformity of union with us here; which I suppose you will "hardly do." He, being otherwise, would be a great cause of trouble and confusion here, and would be able to do you no pleasure at all; taking a way and course opposite to all the rest of our nation here. * *

"And as for making some of them your assistants, it may do well, "if by this means you can gain or content them. I never heard that "Mr. Dr. Smith was any ways discontented. It hath been written "hither that Dr. Bishop hath not only allowed the taking of the oath, "but hath made also a treatise thereof, though not printed. If it "should be so, I doubt it would be taken very evil here, for you to "make him an assistant," until in time he should give sufficient satisfaction, by tracts to the contrary. There was a rumour also that Mr. Colleton had been of the same affirmative part; but this I know not for certain, but shall be glad to hear it from you. Of the two Bennets also the like hath been writ, but with much more certainty of them that did affirm to know it *ex certâ scientiâ*.[3] * * *

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[1] [Mush.—*T.*] [2] [Fitzherbert.—*T.*]

[3] [In this passage we have a specimen of the reports, forwarded to Rome, and too frequently adopted as true. That, in the first instance, and before the decision of the pope had arrived, Bishop entertained an opinion favourable

Finally, you must take good heart unto you, and trust in him whose cause it is, and whose substitute now you are; and if you can, by any good means, as before I have said, pleasure and win them that have been unquiet, you shall do well therein, and we shall concur therein with you: but in this "you must bear yourself as a superior, indifferent to use them or others for the good of the common cause; and they must not think to prescribe unto you whom you must use, and whom not, or that, for their sakes, you must change your former judgment or affection in the said cause, or leave your old tried friends for their brittle friendship," if it be not founded in the same cause, and firm united course thereof. * * This 31st of May, 1608,

Yours ever most assured,

R. P.

*** *Persons, under the assumed name of Signor Marco, to Birkhead, June* 21, 1608.

[Original in my possession.]

My dear good Sir,

Yours of the twenty-fourth of April I have received, and am forced to help myself by another man's hand, to answer the same, and that very briefly. * * *

As for such as urge so much for bishops, you may assure yourself that here is no repugnance, either in Paul himself, or others of our nation: and as much hath been laboured to further the matter, as could be, notwithstanding that many difficulties, as times now stand, cannot be dissembled: and I do believe, when the protector returneth, that

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to the oath is true: but that, after the publication of the breves, either he or the other parties here mentioned advocated the obnoxious test, is utterly without foundation. It is of this charge, which was revived, in 1612, just after he had been released from prison, that Bishop thus writes to More,—"For my welcome to this place" (he writes from Arras college) "I, with Mr. Dr. Champney, am charged to have been a favourer of the oath. * * * I do now send you here my answer, that you may learn who be these calumniators and what be their reasons; for we are told neither of both, but only said in general terms to be favourers of it. I pray you amplify, if you see opportunity, that, I could not but touch with modesty; to wit, that I had deserved rather congratulation and favour, than calumniations, at my return, considering how long I have been a workman in that vineyard, and that in all kind of work, as in catechising, preaching, disputing, writing, in prison and out of prison, with no small fruit, God be thanked, both for converting, and strengthening many in the catholic faith: and now, for a return of all this, to hear nothing from his holiness but of slanders!—What a discouragement were this, if we laboured not for God's sake, and not to please man! * * * Well, let us take good heart, in that we serve so good a master, who will not forget us, and in such a cause, as is most comfortable and honourable in itself". July 31, 1612. Original in my possession.—*T.*]

Paul will resolve that he shall give commission unto your parts to consider and answer the difficulties that he conceiveth, as also to name some particular persons that may be thought fittest for such a charge: only I might tell you that he liketh not that which you write, that some of them, which are most urgent therein, have desired to come hither, to solicit that and other matters; for he saith that he knoweth what may be said in *pro*, but would be glad to hear the solution of the difficulties in *contra*.

As for them that lay all upon your friend here[1], they do him much wrong; for that he abstained from dealing in their affairs, whatsoever he can, but only to pray for them: yet, being in the place he is, when he is asked his opinion, he cannot but speak it, with his reasons for the same: and this also for so much as concerneth only the public; wherein he cannot but think he hath as much interest as another to speak his mind; and those, that are, or will be, angry for this, must have patience with him, as he hath with them: for, as he thinketh himself to have laboured as much as another, so is his desire no less to do what good he can, and this without offence of others, if it may be; if not, he may not leave to do good, for not offending them that would let or hinder the same. And this is all I can write at this time; and so do end with my hearty commendations to all friends with you, and in special to our best patron. This 21st of June, 1608.

Your own ever,

MARK.

*** *Persons to Birkhead, July 5*, 1608.

[Copy in Dodd's MS. of his History, iii. 134.]

Most Reverend Sir,

I have yours of the seventh of May, whereby I do perceive the manifold great difficulties, which you find in the execution of your office, lately laid upon you. * * And truly, sir, "I cannot confess "that I was any way the cause absolutely of your choosing to that "office; but that his holiness, seeing a necessity, as he thought, of "appointing another in your predecessor's place, and meaning to avoid "all occasion of competition and contention therein, demanded only "a list of the assistants, with a relation of their ages, and abilities "to perform the office: which *such as are here* having uttered, accord-"ing as in conscience they thought to be true, he had made choice of the "very first, had not only his age letted; and so he passed to the second:

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[1] [Persons himself.—*T.*]

" wherein you see rather God Almighty his lot, than my negotiation at " all. Therefore have a good courage that God Almighty may assist " you."

You do exceedingly well, in seeking, by all good and lawful means, to content all parties, or rather to procure that there be no parties; which benefit I would to God we were worthy to receive at his hands. The point also, that you propose, of bishops, is ungrateful to no man here, but rather much desired, if it might please God to inspire his holiness to resolve it: from which also he is not much alienated or averse, if he might see the difficulties answered, that partly himself doth conceive, and partly have been proposed by others, both from your parts and of this side the sea. And as to my aversion therein, God seeth that I am no less wronged therein, than in many other reports, which I leave, as only accountable to Him. The simple truth is, that I was never averted from it, but always did see many reasons for it; and, as well in cardinal Allen's time as since, at several times, have caused my petitions and motions to be made for the same[1]: and lately, when one Mr. John Sweet, returning from England, began to renew that suit, I concurred with him with all the means I could[2]; and, of late, have dealt again with his holiness, in a large audience, principally to that effect, and urged the reasons, that herewith I send you, for the same: whereunto, finally, his holiness answered, that he had no aversion at all of appointing some bishops there, if he might persuade himself it might be a means of peace and union, and that he might see the difficulties but reasonably solved, which did occur in that behalf, especially for choice of the persons that should sustain that charge. Whereupon I saying that it was very likely that the catholics of England, that so earnestly demanded the same, had considered also of the said difficulties, as also of the manner how to choose the persons, he answered with plainness, he would cause the chief difficulties to be written and directed into England by the protector, at his return to Rome, as also commission to choose some four or five persons,

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[1] [This statement, as far as it goes, is undoubtedly true. Persons, however, conceals two important facts,—1°. that the bishops, which he proposed, were to have been bishops *in partibus*, not ordinaries; 2°. that, even as regarded these, he subsequently changed his mind, for a political reason, and became the originator of the scheme of the archpriest. See this history, iii. 47, note, and Appendix, cxvii—cxix.—*T.*]

[2] [This relates to the negotiation which I have mentioned in a preceding page (12, note). The person, here described as " one Mr. John Sweet," had been educated under Persons in the English college at Rome, and entered the society at Naples, some time during the present year, 1608. Alegambe, 275.—*T.*]

out of which number he might take such as he should think fittest for the purpose. This was his holiness inclined to do then; and it is very like that some order may come to you shortly, about the same. I would judge it expedient for you to think well of it beforehand, and consult also with some principal friends about the same. * * And, as for me, you may assure them that they shall not only find me not contrary, but as desirous as any man to have it go forward, if they can satisfy our superiors in the difficulties proposed, about which you must know that many principal men of our nation have written, and do write daily, hither from divers places, in respect of the time and present state of our country: so as I doubt there will be great difference of opinions, if you there do not solve them. Almighty God direct all to his greater glory. And with this I will take my leave, &c. This 5th of July, 1608.

Your

R. Pers.

On a separate paper.

I write the letter about bishops, *so as you may impart it with others*, if you think best. * * * "His holiness said to me especially, that "he would not have any sent hither for the suit of bishops, for that "it should not need; for he would send the difficulties thither, and "that they could say nothing more than the letter already for the having "of bishops; and willed me to write so to you. Yet, I pray you, "do not name me therein; for I know it will be evil taken," and so will anything else, that shall fall out otherwise than they desire, though I have no part therein. Christ Jesus be with you ever. This 5th of July.

You know the hand.

*** *Fitzherbert to Birkhead, July* 27, 1608.

[Copy in Dodd's MS. of his History, iii. 163.]

I have received yours of the sixth of June, &c. * * Concerning the two points in your letters, to wit, concerning bishops and two procurators to be sent hither from our clergy, I doubt not but that some resolution will be taken shortly, in the first point; for, as I understand, the same is seriously handled in the inquisition, and, therefore, I verily think that something will be sent you, ere it be long, from hence, to be debated and consulted there by you and our brethren: in which respect, I do not see that it is to any purpose to urge the second point, until the former be concluded: for, satisfaction being given in the matter of bishops, the other point, of agents for the clergy, will require other considerations, and must be referred to the bishops

themselves, to determine, as well concerning the number of their agents, as their persons, which are not like to be alike grateful to every one of the bishops, who perhaps will choose every one his own agent; and therefore, in my opinion, you may, with great reason, desire those which urge these two points so much, to expect the resolution of the first (seeing it is promised with speed), before they prosecute the latter, wherein no sure and firm order can be taken now, if the first be granted. * * *

Though I have written amply unto you, concerning the earnest motion made unto you about agents for the secular priests, yet, because you think it very necessary for the making of peace and unity, I would wish you to consider who and how many they are, that so much urge the same: for, if they be only of the appellants, as I take them to be, and that they will have those agents chosen out of their number, as by all likelihood they would[1], there will follow two great inconveniences;—the one is, that you shall greatly authorise and strengthen their faction, to your own prejudice; seeing you shall acknowledge them still to be a body, as though the appeal were still in force, which is fallen to ground with the old archpriest; and therefore now to suffer them to assign an agent, either for themselves or for the whole clergy, were no other but to nourish them in their former humour of opposition, and to give them means, by their agents, to undermine you and your authority, which they have so much impugned in your predecessor:—"The other inconvenience would "be, that no one of that body, who shall still hold correspondence and "intrinsical amity with the rest, will seem to the greater and better part "of English catholics here to deserve credit in this court," and to be trusted with the greatest affairs of our clergy; by reason that divers of that number and name of appellants have had, as some also still have, intelligence with the heretics: insomuch that, either by the agents themselves, or else by their adherents and friends, all our affairs in this court would be discovered to the enemy, no less than we see, by

[1] [In a previous letter, of which the present is little more than a repetition, he says,—"I understand that some of the unquiet are discontented that you hold correspondence with me; and that it is suggested unto you, to send hither some of the appellants or their friends, for your agent here. * * * The good offices" that you may expect from us, which though we shall be ever most willing to yield you, yet "we shall not be able to perform to any purpose, if your agent be "not united with us, as, you may well perceive by the suggestion made unto you, "these men determine never to be: * * * though to appoint any man to their "liking, who shall not, in their conceit, be an enemy to the fathers, with whom, "you say now, you will not break without just cause, I think it impossible". To Birkhead, May 31.—Dodd's MS. of his History, iii. 159.—*T.*]

experience, they are daily in England[1]. And truly, this I dare boldly say unto you, that the greatest part of English catholics here, and in all Italy, would hold those agents so suspected, that they would not trust them in anything; yea, and perhaps oppose themselves to their admission here, as, for my part, I think in conscience we are bound to do, for the good of the cause. This I say, in case the agents should be chosen, either one or more, by the appellants only, or out of their body: but if the choice should be made by the whole clergy, of some quiet men that had not been of the number of the appellants, methinks you are to consider whose agents they are to be accounted, whether yours, or agents for the clergy. If yours, I see no reason which may justly move you to prejudice yourself and your authority so much, as to have your agents appointed by your own subjects, whereas it were fit that they should be of the most confident friends you have, and depending only on yourself: and if they shall be counted agents for the whole clergy, you shall acknowledge thereby that your clergy is a body divided from you, their head, and not depending on you; yea, and as I signified before, you shall give them both courage and authority to attempt anything against you: * * "and therefore, that which you may well do, in this case, to content "them, in my opinion, is, to make choice of some quiet man, and con- "fident friend of yours, to be your agent here," against whom the appellants can have no just exception; for with such "we, who are "your friends here, will be also glad to concur, as occasion shall serve," and no man more willing than myself, who truly shall be very heartily glad to be eased of my agency, whensoever you shall be otherways provided. And yet, one thing more I would wish you and them to consider, which is, how your or their agents shall be maintained here: for, if you or they expect that his holiness shall give them allowance, I verily think you will be deceived. * * And so, being weary with writing, I take my leave, &c. This 27th of July, 1608.

Yours as my own,

F.

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[1] [It is almost unnecessary to remind the reader that of this charge, so perseveringly repeated by Persons and his adherents, no proof was ever exhibited. In one instance, that of Bagshawe, it was acknowledged to be a slander (see this Hist. iii. clviii, note): and yet, to the effects of its unscrupulous reiteration on the minds of the catholics must be attributed one of the most crying of the evils, which I have sketched at the commencement of the present volume. No wonder, then, that the archpriest's agent, addressing the pope, a few months later, hesitated not to denounce it as a mischievous and groundless "calumny". See ante, page 7, note 1.—*T.*]

**** *Fitzherbert to Worthington, August* 2, 1608.

[Copy in Dodd's MS. of his History, iii. 165.]

"*Tibi soli.*—I must in confidence desire you to advertise me "whether, if his holiness should resolve to make some bishops for our "country (wherein he hath been of late greatly urged from England), "you would be content, for God's greater glory and service, that "the dignity should be imposed upon you, with condition to go into "England." You know how much it importeth God's cause in our country, that good men be chosen for that purpose: and because there is none in our clergy, excepting the archpriest, so eminent and fit for it as yourself, and that I think myself bound to testify, as occasion shall require, and yet may make some doubt how you would like the election of yourself, in respect of the danger that is to follow it, I have thought good to feel your own disposition in all confidence. * * This matter of bishops is now, as I understand, earnestly consulted by his holiness with the cardinals of the inquisition; whereof you shall hear more, as I shall understand of any resolution taken therein; and, in the mean time, I pray you answer me speedily and confidently to this my demand. * * From Rome, the 2d of August, 1608.

Yours as my own,

T. FITZHERBERT.

**** *Persons to Birkhead, August* 21, 1608. *A public letter.*

[Copy in Dodd's MS. of his History, iii. 132.]

My most reverend, right worshipful good Sir,

I have yours of the twenty-first of June, wherein you acknowledge mine of the eighteenth of May: but before this I doubt not but you have received sundry others, as well from me as from others of your friends here, especially Mr. Swinnerton[1], who is and hath been very careful to assist your cause wherein he may; not for that he hath any spare time, or desireth to be entertained in such affairs, wherein he taketh small delight, but for his earnest love towards you and the common cause which you sustain: and the like I can assure you of myself: and "therefore those of our friends there with you, "that are so desirous not to have you deal with us, shall always find us "most ready to spare that labour, whensoever we shall see you other-"wise provided and furnished, but yet never unwilling to assist you" in all your affairs, and to labour for you to the good of the public cause

[1] [The assumed name by which Fitzherbert was generally known.—*T.*]

in the kindest manner we may: "and so much the more for that we "perceive it to be grateful to his holiness and other superiors here. * *

"As for the two points which you touch, of having bishops, and "sending agents hither,"—to the first I say, as heretofore I have also written unto you, * * * that "I have been ever a furtherer of this "motion for bishops; though I may not deny but that divers great "difficulties do offer themselves in the execution of the matter: as, for "example, among others, they object here that, if more than one bishop "be appointed, they must be either all of one side, or all of the other, "or partly of the one, and partly of the other. If the first be granted, "then will the one side remain more discontented than before: if the "latter, then will those bishops be pillars of greater contention, of the "one against the other. What will you answer to this[1]? For, if you "say that those of different parties will agree, the one with the other, it "seemeth improbable, and to be contrary to their own pretence in this "letter of yours to his holiness, which is, that no religious men, or any "depending of them, should have to do in their affairs;" which, notwithstanding, being the affairs of the common cause of religion in our country, I do not see with what shew of reason or charity it can be demanded. * * *

"As for the new agents to come hither, so they come *in spiritu* "*unionis et concordiæ*, we here of the nation have no difficulty; for we "shall concur with them as friends" and countrymen ought to do. But if they come with the spirit of opposition against all religious and their friends, as by that which hath been written to his holiness may be gathered, neither his holiness, I presume, will like thereof, neither can we that must defend ourselves. And if you approve of the coming of agents of the other side, you cannot improve those of this side; and so both sides must needs come, with your approbation at least wise, if not as your own agents: and, in this case, must religious men have their agent, if they be impugned. And when all these agents shall be together, "yet will his holiness use his liberty, to take "every man's opinion, as he shall think best," or as he knoweth them best: "and assure yourself, if we be divided, though there were twenty "agents here, nothing will be done:" so as the only way were for ourselves to agree and be united. * * *

"As for the other two things wherein you say they do press you,—

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[1] [Father Bradshaw had already answered it, as every right-minded and impartial man would,—choose men, he had said, indifferent alike to either party, and distinguished only for their virtue and their learning. See page 12, note, ante.—*T.*]

" first, to have no correspondence with me, or with Mr. Swinnerton " depending upon me, because it is directly against Paul his first brief, " wherein he commandeth his predecessor's brief to be observed *ad* " *literam*, and, in the same, Clement prohibited you to have any dealing " with any of ours,"—to this first I answer, that Clement did not prohibit to have any dealing absolutely, as though we were excommunicate, but only that Mr. Blackwell, in matters of his government (which the appellants said he guided altogether by father Garnet and his), should not confer them with those of the society: which afterwards notwithstanding, seeing the evil success that ensued, Paul expounded his meaning to be, and this by cardinal Farnesius to Mr. Blackwell, as I suppose you have heard, that the prohibition was to be understood only of treating together matters of state, or that might justly offend the state[1]:—and thirdly (*therefore?*), when you were appointed to be his successor, the brief was made, according to the first institutions of cardinal Cajetan, before the said restriction was made or thought of.

" And whereas they name Mr. Swinnerton as dependent upon me, " it is spoken injuriously; for he dependeth upon no man but upon his " holiness and the king of Spain, from whom he hath an honourable " pension, and is of that known wisdom and sufficiency, as he needeth " depend on no man: and whosoever shall come to be agents here, they " must think his holiness will hear him in affairs of our country, as " soon as them. * * *

" For all other matters, I told you my opinion sincerely, and am " sorry to hear that Mr. Blackwell and the rest in the Clink, or elsewhere, do persist in their erroneous opinion about the oath. It is " greatly wondered at here and pitied; nor will the qualification by you " mentioned, of holding it privately, without publishing the same, any " way serve, for the causes which yourself doth well and discreetly " touch. And as for the doubt, whether you may restore faculties to " such as conform themselves after the time prescribed, we shall procure

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[1] [To shew that this assertion is in direct opposition to what Persons must have known to be the truth, it is only necessary to turn to what Farnese really wrote:—" Voluit præterea sanctitas sua" (these are his words) " me ejus nomine dominationi vestræ declarare, clausulam illam * * * in eum sensum accipiendam esse, ut liceat vobis cum ipsis patribus omnia liberè pro vestro auxilio et consolatione conferre, quæ ad religionem ipsam catholicam, ad casus conscientiæ, et ad res spirituales pertinent; *de gubernatione verò vestrorum subditorum*, et de rebus politicis, vel statûs, ut aiunt, *dominationi vestræ licitum non erit quidquam cum ipsis patribus impertiri*, ne majorem in invidiam trahantur". Farnese to Blackwell, Feb. 10, 1607. Copy in my possession, endorsed by Persons himself.—*T.*]

" it, if it may, [to] be resolved from the fountain head; before this post " depart. The opinion of the learned is, that you may, but with some " difference of satisfaction," &c.—And so I bid you heartily farewell, again and again. This 21st of August, 1608.

Yours &c.

R. P.

*** *Persons to Birkhead, August* 23, 1608. *A secret Letter.*

[Copy in Dodd's MS. of his History, iii. 131.]

Good sir,

" This I write to yourself alone, to the end you may shew the " other[1] to your brethren there, that press you so much, if you think it " expedient: for, by that answer, it may be they shall see that you have " proposed all their affairs *efficaciter*. But indeed you must reserve " yourself superior, as well of their's, as of other men's demands and " reasons, and not fear overmuch any man's presages or importunities; " for otherwise you will be carried down the river before you see it, and " so gone into great diffidence with others, who, in our judgments, and " in that of his holiness also, I doubt not but do seem the better and " quieter part. And as to the point itself of having bishops, I protest " unto you here that I do not only protect and favour it, but also desire " it. Yet, *modus agendi* by such violence liketh me not; and much less " the end proposed, of opposing against religious men.

" There is a form sent hither of a new oath, set down in divers " fashions; and therewithal is an English memorial to the lords of the " council, in your name and of your assistants and of the provincials of " the benedictines, franciscans, and jesuits, [containing] a certain par- " ticular form of oath, which, as I have not had time to confer it with " any learned men, much less with his holiness, because the post is pre- " sently to depart, so do I assure myself that it will be misliked by " many, and most of all by his holiness, that any forwardness should be " shewed to such oaths, wherein, either *tacitè* or *expressè*, his authority " is impugned by the adversary, &c. And, for your own part, I would " give you this counsel, that you be always the last in these matters, and " urge still his holiness for particular direction; wherein here we shall " assist you, what we may.

" Even now cometh a resolution from his holiness and the inquisition " which is to be intimated to you by the protector, cardinal Farnesius; " but I know not whether he can do it by this post or no. The effect is, " that you may admit them[2] that do return *post tempus præscriptum*

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[1] [The preceding letter, written two days before.—*T.*]

[2] [The priests that had taken the oath of allegiance.—*T.*]

" *duorum mensium, impositâ illis salutari pro arbitrio tuo pœnitentiâ;* " and so may restore them their faculties again. This light I thought " to give you now of the matter" that will be written to you; for it is taken very well that you consult your affairs here, when they are of moment. " That moderation or temperance of them, that will promise " not to teach or profess publicly, but in private will hold their opinion, " is rejected utterly," for the reason that you alleged. I have no time to write more. Our Lord Jesus be with you.

R. P.

*** *Fitzherbert, under the name of Swinnerton, to Birkhead, Aug.* 23, 1608.

[Copy in Dodd's MS. of his History, iii. 165.]

Right Reverend,

[I have received] yours of the twenty-first of June, with the enclosed, * * and forasmuch as you demand, in that to his holiness, to know his resolution concerning the request made unto you by your brethren, to send procurators, I do solicit to have answer from his holiness, which I hope I shall have the next week, to send you by the next post: * * " though I must needs say that the reason, which " you add to the demand, cannot but disgust his holiness; for that " it sheweth a strange aversion, not from some, but from all, religious " men, without exception, seeing you say that they will not have *ullos* " *religiosos immiscere se*, &c.; which must needs move his holiness to " reflect upon their small inclination to peace: though you persuade " yourself that their satisfaction in this would procure and further it. " But, to tell you truly my opinion, I cannot, for my own part, expect " that it can follow of the employment of men of that humour in this " place; whereof I shall not need to say any more in this matter, " because I have written to you amply thereof in my former:—only, " I will add that my hope is, that those, which are of that opinion, are " not either the greatest or most important part of the clergy; for truly, " to speak my conscience, it were a pitiful case if it were so: and there- " fore I would wish you to consider how many they may be, that impor- " tune you in this matter and manner (I mean with such a tooth against " religious men), and to take heed lest, to content them, you discontent " a far greater number, who, I verily think, would be loath to be thought " to be of that humour[1]. * * *

[1] [The reader will not fail to remark that, although Fitzherbert here dexterously avails himself of the general terms employed by the clergy, in order to charge them with an indiscriminate hostility to the members of all religious orders, he must have known that the only persons really pointed at in the

"I perceive you have many bad reports of Mr. President, our friend "at Douay[1], whereof I would you had mentioned some part, to the end "I might have signified to you my opinion of the truth thereof; for "I make no doubt but that he is wrongfully charged," by reason of some controversies he hath had of late with the benedictines, his new neighbours[2]. * * Rome, August 23, 1608.

Yours as my own,

T. SWINNERTON.

Persons to Birkhead, September 4, 1608. *A secret letter.*

[Copy in Dodd's MS. of his History, iii. 137.]

Tibi soli.

"Good Sir,

"Having writ the other letter demonstrable, that you may use "it to the quieting of the ardent spirits of your brethren, if it may be, I "thought best to add these few lines alone to yourself[3].

"His holiness's answer to the three forms of a new oath is, that he "disliketh them all, or any other whatever that, directly or indirectly, "may concern the authority of the see apostolic; and he wondereth very "much that you were [not] backward in them all. And, as for the "bishops, his answer was, that he is willing to make them, if he may be "certified that it is a *general* desire of *all*, and that, *by the same consent*, "some fit men be represented unto him. In which point, I must advertise "you, in confidence, that, if any should be named, that may be remem-"bered, or probably suspected, to have had part in those books which "were set forth by the appellants, and which are here in the inquisition, "they will hardly pass till they have made their canonical purgation, "&c.[4]: but this to yourself alone. September 4, 1608."

Yours,

R. P.

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letter, because the only persons who had interfered in the concerns and government of the body, were the fathers of the society. Now Birkhead himself expressly assures cardinal Blanchetti, that the parties, thus opposed to the proceedings of the fathers, were not the inconsiderable faction which Fitzherbert would fain imagine, but the greater part of those, who were subject to the jurisdiction of the archpriest;—"id illis sacerdotibus *pro majore parte* longè ingratissimum fuisse" (See page 15, note, ante).—Let me add a remark, which the reader will have frequent occasion to apply, that the attempt to establish a charge of hostility against the society, on the mere ground of an opposition to the acts or encroachments of some of its members, is unjust; and that a disinclination to be subjected to the control or interference of the jesuits, is no proof of that "aversion" to the order, of which Fitzherbert here accuses the clergy.—*T.*]

[1] [Dr. Worthington.—*T.*]

[2] [The contest between Worthington, or rather between the jesuits, and the benedictines, has been noticed in the preceding volume, 88, 89, and Appendix ccviii.—ccxix.—*T.*]

[3] [The "other letter" here alluded to I have not found.—*T.*]

[4] [The object of this is manifest. To shew, however, that Persons wrote it,

*** *Fitzherbert to Birkhead, September* 6, 1608.

[Original in my possession.]

Right Reverend Sir,

I have received yours of the tenth of July, stilo vet.; * * and whereas I was in hope, ere this time, to have procured some despatch from hence to you, concerning bishops, you shall understand that, although both father Persons and I have solicited the same very earnestly, yet, the matter being treated in the inquisition, as all other affairs of ours are, there are many delays: and yet I hope that shortly somewhat will be concluded. And forasmuch as I can perceive, the cause of the delay groweth, in great part, of many difficulties that have been written hither from your parts; for that, howsoever many, or perhaps the greater part with you, desire to have bishops, and put no difficulties, yet divers have written against it, and sent many reasons to maintain their opinion: and one difficulty proposed may hinder a business more in this court, than many sound reasons can further it: and I think that his holiness hath had more letters, concerning that matter, from men of our nation both in England and abroad, than we here can come to know; in which respect I made suit of late to his holiness that it would please him to send unto you the difficulties that are proposed concerning this, to be answered and cleared from you, by the advice of those that labour for it; and further to have the opinion of your whole clergy, or at least the greater part, concerning fit subjects amongst you for that dignity, — as I am well assured it was once before determined by his holiness and the inquisition.

And whereas I have solicited withal to have some resolution from his holiness, concerning your other request, of sending procurators, I have had one and the self-same answer of that matter twice (for I replied to the first); which was, *that I should advertise you that his holiness will not that you permit any to come, in any case.* And whereas it seemed to me necessary that the same should be written unto you by our protector, or vice-protector, or some cardinal of the inquisition, I replied, demanding some such attestation; which I did by the means of Cardinal Blanchetti, our vice-protector now in

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not from the authority of the pope, but from the dictation of his own feelings and wishes, I will only remark that Dr. Bishop, the very first man who was ultimately found worthy to be invested with the episcopal dignity, was the known author of more than one of the books here alluded to.—Another point, suggested by the date of this letter, has already been noticed. See page 18, note, ante, and Fitzherbert's letter of October 4, post.—*T.*]

the absence of cardinal Farnese: and he, being also of the inquisition, and having treated the same matter before, with his holiness and the whole congregation, and given me that first answer, some days ago, hath also yesterday returned unto me the same answer to my reply; and addeth further, concerning my other demand about bishops, that the matter is now in consultation. And whereas I shewed myself much grieved that I could not have his attestation, he answered absolutely that his holiness will not permit it; yea, and that all the congregation is against it, upon a reason which, though he gave me no commission to write, I will be so bold to write to you in confidence, to wit, that his holiness having seen that not only his breves, but also cardinal Bellarmine's letter to the old archpriest, have been scanned, cavilled, calumniated, and finally published in print (as of late all the world hath seen), is resolved, for the present, neither to send any more breves or answers in writing, nor to permit any cardinal to do it.[1] But this, I say, I have no commission to write: only, I am commanded to advertise you that, die 4 Septembris last past, cardinal Blanchetti consulting with his holiness, whether it was his pleasure that you should send procurators or agents hither, for the secular priests or clergy of England, as divers of them there had instantly required of you, *his holiness answered that he did not think it needful or convenient.* And this is all that I can procure for your satisfaction in that matter; and if any of our brethren there do think that I feign or devise this, he may do well to write to his holiness that I have sent such an answer from him, delivered to me by cardinal Blanchetti, in the form above-said, at two several times. * * Our Lord have you in his protection. Sept. 6, 1608.

T. SWINNERTON.

*** *Persons to Birkhead, September* 13, 1608.

[Copy in Dodd's MS. of his History, iii. 137.]

Right Reverend,

I have yours of the tenth of July, whereby I do perceive largely your whole judgment and sense about matters there. * * "For your resolution to give contentment to your brethren there, so

[1] [Whatever may be thought of the probability of this story, two things are certain,—1°. that Persons, only a few days before (Aug. 23), tells Birkhead that the protector will write to him by the next post: 2°. that, as soon as Smith had arrived in Rome, both the protector and viceprotector, Farnese and Blanchetti, actually addressed letters to Birkhead. Birkhead to Ed. Bennet, Oct. 3, 1608; to Smith, July 6, 1609. Originals in my possession.—*T.*]

" far as reason may content them, I think it very good and behoveful, " and we shall all concur with you : but if they will enter into passion " and violence of importunity, you shall do well to stand upon yourself, " as superior to all, lest the quieter sort begin to complain also on their " side." Believe me, sir, all is done here that can be done, to the same effect of having bishops, which they desire ; though with modesty, as becometh inferiors to superiors, for that wrestling and forcing hath no place here. I hope they will remit the matter thither unto you, and that from thence you will facilitate the matter, by consent of your brethren : albeit I must tell you that there seem to be such difficulties proposed by some, as do not a little make them doubtful here of success. * * *

All other matters were touched before : and " for wrestling here, if " any such wrestlers come here, they may worse weary themselves, than " hurt other men ; for that Rome is a large stable, wherein a horse may " outlabour himself in kicking and winching, without striking others " that will keep themselves far enough from them, and have nothing to do with them, but stand upon their own defence. " And, for yourself, " you must be of good courage, for that God hath chosen you, and put " you *in speculâ*, in this time of contradiction and difficulty." * * And so for this time I bid you farewell. From my ordinary abode, this 13 of September, 1608.

Your most affectionate

R. P.

*** *Colleton to Persons, Sep.* 20, 1608.[1]

[MS. in the State Paper Office.]

Very worthy and religious Father,

Not unlike but you have marvelled what it was that moved me to become Mr. Blackwell's substitute, knowing he had taken the oath. You may believe, there being many witnesses thereof, that willingly, of my own accord, I never yielded thereunto, otherwise than by force of solicitation and importunity of friends ; and chiefly upon hope of doing good to our whole church thereby. For I was confidently borne in hand that, by accepting of the deputation, Mr. Blackwell would be brought to join in petition to his holiness for bishops ; and, he joining, we made no doubt but his holiness would grant the request; being by this means become the joint request of our universal and

[1] [By mistake, I have elsewhere referred to this letter, as forming part of the appendix to the preceding volume. See this history, iv. Append. clviii, note.—*T.*]

entire body. Neither did I or others fear that Mr. Blackwell's taking of the oath, in the form he protested he did (namely, that the pope hath no civil and imperial authority to depose his majesty at his pleasure, &c., which maketh the oath quite another oath, in words and sense, from the oath of the statute), could, after true information, divert his pastoral affection so exceedingly far from us all, both clergy and laity, as, for that only fact of his, to deny the grant of our request; containing a like necessary benefit to souls, as is the sacrament of confirmation, after more than fifty years' want of the same, and in the time when persecution encreaseth. If you ask why we did not then proceed in the suit, I answer that Mr. Blackwell was called to new examinations by the state, forgot himself incomparably more than before, and some other few priests took the oath without addition; which so utterly discomforted [us], as the aforesaid design was presently laid aside, and I forthwith resigned the deputation into Mr. Blackwell's hands again, seven weeks before either his deprivation, or the making of Mr. Birkhead, was heard of, or imagined among us. Again, Mr. Blackwell himself told me he had received direction and commandment from Rome to appoint a deputy; which, in my own opinion, may suffice to excuse, if not to justify, my acceptance of the office, in the manner I did, and for the time I held it. And touching the seeking of peace therein, let others testify whether I did not purpose, in case the business had gone forward, to communicate the whole with father Holtby, and entreat his advice and furtherance in the execution; which sheweth no such humour in me, as perchance was both conceited and informed. And thus you have, good sir, the sum of the motives and ends that induced me, together with the true proceeding in the matter.

Now, to acquaint your fatherhood with the passage of another accident. After the constitution of Mr. Birkhead, I made means to speak with him, and, in my access, signified that, when Mr. Blackwell made me his substitute, he made me also an assistant, in Mr. Shaw's place, then newly dead; which, if his reverence did not know before, I held it my part now to inform him of; and the sooner, for that I understood he had received commission to confirm the assistants he found, and to that purpose had already addressed his letters of confirmation to most, or all, of them besides myself. He answered that, because I was made by Mr. Blackwell after he had taken the oath, he was fearful to approve the action, and therefore prayed me to pardon him for refusing to confirm me. I did so, and thanked him for the same: yet I could not, as I told him, but recommend to his further consider-

ation, whether his denial to confirm me, upon the cause alleged, would not be deemed a wrong; in respect there could be no question made of Mr. Blackwell's authority, at the time he elected me; being not only before the sentence of his deposition came to his knowledge, or was any way published, which had been sufficient to justify the election, but was even before the date and making of the deposing breve itself, and that for the space of some number of weeks. And here we brake up talk and parted. Shortly after, it pleased him to send for me, and [he] told me that, although he would not allow of my election by Mr. Blackwell, yet he was content to admit me in Mr. Shaw's place, as Mr. Blackwell had done, so I would acknowledge myself made by him, and not by Mr. Blackwell. I requested respite: it was granted; but an assistant, that stood by, would not I should delay the acceptance of the kindness offered; whereupon I eftsoons submitted myself to both their wills.

Since which time, being in communication with our archpriest, about matters amiss in our country, we fell in talk, what the cause might be why many ancient priests of best note stood estranged in their affections from the jesuits, and how the same might be removed. I told him that the greatest cause of the alienation was, as I thought, the authority which some of the fathers practised over the priests, in choosing our superiors and agents, and in setting down laws for us, without assent, consentation, or privity of any of our body, and in annexing also such kind of penalties to some of them, as have hardly a precedent, viz., not *suspension from the use* of faculties, but *utter loss* of faculties, *ipso facto*, without declaration; which form of punishing hath already, and is like, in few years, much more to occasion great perplexities in tender souls;—a mischief that were taken away, if the ordinary discipline of God's church, to wit, suspension from the use, and not absolute loss, of faculties, but after denunciation, were in the said cases imposed: for thus the priests' consciences that should transgress were only burdened, and not the innocent laity driven, upon after intelligence or scrupulosity, to turmoil their souls by making their confessions anew.

And touching the remedy of the foresaid aversion, or disgustfulness, my opinion was, that there was no mean so likely and potent to extinguish the same, as if your society, and especially yourself, who, as most believe, hath the greatest hand in the aggrievances, should now effectually join with the priests in their suit for bishops, and either leave them to nominate the persons they think fittest, as well for contentment of the catholics as for the peace of the realm (I mean the

quietness or less trouble of the state), or, at least, take their consents in the choice; as also aid them in the procuration of some one other matter or two, not of any great difficulty to be obtained, albeit very necessary in our country for the good of many.

Discoursing in this manner with our archpriest, and understanding his reverence intended to employ two to his holiness, for soliciting certain graces, I made offer unto him to accompany them in their journey, upon my own charge, for debating all matters thoroughly with you, and for redress of so many as, upon due conference, should be found out of order, if so his reverence and others of judgment should think well thereof, and especially yourself, in whom the key of the business, and stroke of all good issue therein, did only or most principally rest:—which offer and intention of mine was presently embraced by our archpriest with good contentation, and [he] hath since advertised that others, to whom he imparted the same, did the like. It only remaineth to understand your opinion; and to that purpose these are addressed. If you assent, then am I to crave a bolder courtesy, which is, that you would promise friendly, real, and sincere dealing in the premises; a request which I make, not out of any mistrust I have of the contrary, but for further satisfaction to others, and for my own greater encouragement to so long a journey in my aged years. I trust that your wisdom will not think that I made, or do now signify, the said offer, upon presumption or confidence that I can say much, or that I thought myself able to reason matters with you, or to any other end more vain; but rather that I was induced hereunto, through the gloriousness of the end: for what, lightly (*likely*), can there be more worthily glorious than combination and charity of the brotherhood among priests of our nation, and living in persecution,—the assign of my proffered travails? In brief, if you will have my censure, I do very hopefully assure myself that the whole affair intended is no other than a golden mean, put into your hands, of cancelling all conceived wrongs past, of obliging anew the secular clergy unto you, of possessing more and more the hearts of our catholic laity, of benefiting the common cause exceedingly, of making the whole kingdom your debtor, after a sort, of adding grace to your other several and fruitful labours, of preparing you the true way to hear, impeached hitherto, peradventure, by the ill hearing of our contentions, and of leaving a sweet memory behind of yourself, when you go to receive your rewards of God. Neither do I alone conceive thus of the matter; but sundry other are of the same opinion; and you will see our grounds, if it please God to send us to meet. And thus,

having entertained you long, I conclude with salutations of true love to your fatherhood, pardoning and asking pardon of whatsoever passed amiss betwixt us, in the late controversy; which I write, not because my conscience accuseth, or that I remember any great matter, but because I am fearful, and would most willingly quit my conscience *in occultis et ab alienis.* Fare you well: and God, of his mercies, give us all grace to shew the fruits of true mutual love, one toward the other, and faithfully to combine in promoting the general good of our church and country, without seeking ourselves, or the things that are our own.

Your countryman of old acquainted,

London, the 20th of Sept. 1608. Jo: COLLETON.

*** *Persons to Birkhead, October* 4, 1608.

[Copy in Dodd's MS. of his History, iii. 139.]

Most Reverend Sir,

I am very desirous, if it may be, to give you and your brethren there satisfaction, so far as is reason, that I do neither meddle with their affairs, nor desire it, nor did ever pretend to have the least jot of authority over the least priest in England, and much less over any of them that are of a more principal rank. My dealing is with those of our own order, committed to my charge, whom I have also expressly admonished to attend to their own affairs in God's service, *et pacem habere cum omnibus quantum fieri potest.* And truly, "I wonder that "your said brethren, that are so earnest with you to break off all friendly "correspondence with us here, what good end they can have in conscience "and prudence for the same," if it be not continual encrease of further dissension and disfriendship amongst us. * * And it seems here to wise men the strangest point in the world, and to savour of strong passion, that, I professing as I do that neither I have, nor desire to have, any least part in the managing of their affairs, as both his holiness and the college of cardinals, by whose hands English affairs do pass, do well know and testify with me, yet that they will not either cease to demand that I meddle not, nor shew some particulars wherein I do meddle. "And, in very deed, no man is so simple, but seeth "that the accusation falleth rather upon his holiness, whom they falsely "suppose and give out to be ruled by me, than upon myself": only, it seemeth they would have me to have neither eyes, nor ears, nor tongue, to see, hear, and speak, nor subsistence in this place, and would annihilate me from the face of the earth; which lieth not in their power, though their passion be never so strong: but here I must live, while obedience doth appoint it so; where I shall be ready to serve

my country, and them also, if they will use me. Neither may I hold my peace, if his holiness demand my opinion, nor were it reason; though I do fly most willingly all occasion to speak or deal in any matter that concerneth them or theirs: and if this will not conserve peace and friendship amongst us, I know no other means of remedy but patience and perseverance, which finally will overcome all. And so much, I pray you, let them know from me, in christian love, with my commendations to every one, whereof I suppose there be few, to whom I have not sought to do pleasure and service, and never to hurt them:—and my opinion is, that they hurt themselves more, both before God and men, with this manner of animosity against their friend, that laboureth in the same cause of God's service with them, than is needful here to be repeated. And so much of this.

Now, sir, to come to some particulars. After I had given my opinion (being demanded) in favour of bishops, which was, in effect, to refer the matter back into England again, as has been signified, I was called by cardinal Blanchetti, and commanded, in name of his holiness, to write the answer into England, both in that point, and in the point of two or three new forms of oaths, which had been sent to his holiness by his nuncios, as I suppose, both in France and Flanders; but I desired the cardinal to reply unto his holiness and the congregation of the cardinals of the inquisition, from whom the order came, that, albeit I might write it to our fathers of whom I had charge, yet I desired them to pardon me for writing it to you; for that it might offend others[1]: whereupon new order was taken, that it should be written by the cardinal to the foresaid nuntii in France and Flanders, from whom, no doubt, you will hear the particulars; and I make account that Mr. Fitzherbert will inform you also thereof more largely: so that, by this, you may see I do shake off, as much as I can, all occasion of meddling or having to do in your said brethren's affairs, as they account them; and all for love of peace, if it may be had. And you should do me great pleasure, in sparing to impart any thing of theirs unto me, which you may despatch by other means; though "I shall never be weary

[1] [Yet he *did* write it; and not only so, but, at this very moment, he actually *had* written it. He wrote it, as the reader has already seen, fourteen days before it was given: he wrote it, as he pretended, on the authority of the pope, who had not yet returned it: and, more than all, he wrote it to the very man whom he is now addressing, and to whom he says that he had refused to write it! (see page 18, note, ante; and compare Persons's letter of the fourth of September, with that of Fitzherbert written on the fourth of October). This fact alone, even if unsupported by the convincing evidence contained in the preceding pages of this history, would be quite sufficient to supersede the necessity of all comment on the other extraordinary averments of the present letter.—*T.*]

" to serve you, wherein I may, notwithstanding any contradiction what-
" soever, either of theirs or others." And with this I will end at this time ; desiring Almighty God to bless both you and them and me, that we may do his will, and mortify these passions of one against the other, and look well unto our apprehensions, what true ground they have, before we put them with such vehemence in action, whereby we break oftentimes the band of union and charity, without all necessity. Sweet Jesus be with you ever. This 4th of October, 1608.

Your ever affectionate

R. P.

*** *Fitzherbert to Birkhead, October* 4, 1608.

[Copy in Dodd's MS. of his History, iii, 168.]

Right Reverend Sir,

* * " I am to advertise you that, since my last, wherein I " gave you to understand the resolution of his holiness, given to cardinal " Blanchetti, the fourth of September, concerning the procurators that " your brethren desire to send hither in the name of the English clergy, " viz., that his holiness doth not think it convenient that any such " should come, I have further understood," by cardinal Blanchetti, that his holiness, considering the instance made unto him here, partly by your letters, and partly by father Persons and myself, concerning bishops to be granted for our country, resolved to give answer unto you by the means of his nuntii in France and Flanders ; commanding cardinal Blanchetti to write unto them, and to advertise them, in his holiness's name, that his pleasure is that they shall call before them all the English catholics resident where they remain, and signify unto them that, whereas his holiness hath been solicited, in the name and behalf of the English clergy, to grant them bishops, he would willingly do it, if he could understand that the same request proceeded from a *universal* desire of the *whole* clergy, and that they all did, *by a universal consent*, nominate some such as should seem to them worthy of that dignity. * *

Together with this answer concerning bishops, his holiness also ordained that the cardinal should signify in like manner to the nuntii, that "he had seen two or three different forms of new oaths, framed " in England, to be taken by the catholics, and that his holiness doth " utterly mislike and disallow them, and commandeth all catholics that " they shall not take them," or any such as do, either directly or indirectly, impugn the authority of the see apostolic. * * And, as I take it, this resolution concerning the oaths and bishops was taken

by his holiness, in the congregation of the inquisition, the eighteenth day of September, as the cardinal signified unto me.[1] * * *

"And whereas you signify to me, as in all your former, that some "there do much mislike your correspondence with me, no less, or rather "more, than with father Persons, truly you shall do me a singular "pleasure to ease me of my burden therein." But * * I would wish you to consider whether it be convenient for you to venture to discontent a far greater number of quiet men, or, as I may rather truly say, the body of our clergy, to satisfy these few that molest you, and, for aught I see, will never rest till you break altogether with your best friends, and a great number of good men also with them. * * I should be heartily glad to see some agent here of yours, that might be a quiet man, and confident to you; and with any such friend of yours I will concur, as far as he shall think convenient; for, I assure you, I do not use to intrude myself into any man's business. "Never- "theless, I must needs tell you that, whosoever cometh hither for you "or others, I cannot lose all care of God's service and cause, in matters "touching my country; but will ever be bold to signify my mind to his "holiness and others here, as I shall think it needful." And so, for this time, being very weary and benighted, I take my leave in great haste, this 4th of October, 1608.

Yours as my own,
T. SWINNERTON.

*** *Lord Montague to Edward Bennet, Nov.* 27, 1608.

[Original in my possession.]

My good and most loving Friend,

I am sorry it is my fortune to write you so cross news, as makes me daily more to think we have falsehood in fellowship: and, surely, so much more than before I mislike them which I take and assure myself to be the authors, that I must confess I know not how to keep myself in temper. God give us all patience, and the spirit of wisdom and fortitude, whereby, like zealous champions of our catholic commonwealth, to defend ourselves against father Persons, Mr. Fitzherbert, and their adhering oppressors. * * Thus it is; Mr. Fitzherbert hath most resolutely written to Mr. Wilson[2] a mandatum from his holiness, that no procurators shall come to Rome, with other circumstances, such as you may hear too soon: insomuch as Mr. Smith

[1] [Compare Persons's letter of September 4 (page xlii., ante) with this.—*T.*]
[2] [Birkhead, the archpriest.—*T.*]

dareth not to go; though still Mr. Wilson be more forward to send him than I could wish (being, as I take it, for neither of their safety); though Mr. Wilson qualify the words with a sweet interpretation. For mine own part, I could wish the journey to be respited for a time, till both the clergy and laity had to each other bemoaned ourselves of that woful misery, whereto we may not need to doubt but the fathers of the society have brought us; raising their lofty towers with our unfortunate ruins. Alas! what hath either the clergy, or we of the laity demerited, to be debarred of access, either by person or by letter[1], to the see apostolic, for whose eminent prerogative we lose our lives and livelihoods[2], while father Persons flourisheth, if he tyrannize not, at Rome, and his brethren here commonly scape all real danger. * * Assure yourself that to the goodness of our cause no man can be more entire than Mr. Wilson, who, as he is ready to follow good advice, so could I heartily wish your presence here; desiring, for mine own part, that, if any service may be in me to do to so good a cause, not to pretermit the performance, though with loss of my life and what I am worth. And even so, with my best love, &c. This Advent Sunday, 1608. Your most assured friend,

ANTHONY MONTAGUE.

*** *Birkhead's Declaration of his intentions in sending an agent to Rome. Feb.* 5, 1609.

[Birkhead's own copy. MS. in my possession.]

Cum non pauci ex venerabilibus compresbyteris meis diù multumque mecum egerint de procuratore ex nostris clericis Romam mittendo, eamque rem ego hucusque certas ob causas distulerim; jam verò de die in diem magis perspiciens eos, unionis et concordiæ spiritu ductos, Dei optimi maximi gloriam, et boni publici conservationem ac etiam propagationem sinceris animis desiderare et quærere, non potui non eorum justis postulatis acquiescere, meque illis in eum finem adjungere. Ideo mittendum censeo virum quendam prudentem, æquum, et fidelem, qui, cum in rebus nostris sit admodùm benè versatus, possit ad sanctissimum dominum nostrum curiamque Romanam de præsenti cleri nostri sæcularis statu, rebusque aliis necessariis, pleniùs certiùsque referre: à quo tamen volo hæc quæ sequuntur sanctè observari.

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[1] [He alludes to a fact with which the reader is already acquainted,—the suppression of his letter to the pope, by Persons.—*T.*]

[2] [Montague himself had already suffered imprisonment in defence of his religion (this hist. iv. 40, note); and was again committed to custody, in 1611, for refusing the oath of allegiance.—*T.*]

1°. Quoniam, ut nuper accepimus, visum est suæ sanctitati nullos omninò episcopos apud nos creare, nisi ex communi omnium consensu, licèt illud ipsum à compluribus vehementer desiderari sciam, ut ecclesiæ nostræ perhonorificum et valdè utile, tamen ne sanctissimi domini nostri voluntati ullâ in re refragari videar, nolo ut postulatio illa à proçuratore meo, ante collecta singulorum suffragia, ad suam sanctitatem promoveatur.

2°. Intendo ut dictus procurator meus hoc iter in se suscipiat, ad firmiùs stabiliendam pacem et concordiam cum admodùm reverendo patre, P. Roberto Personio, et consequenter cum ipso de rebus nostris (quatenùs id summo totius orbis antistiti placuerit) tractandum, ejusque consilio et auxilio utendum; multoties enim evenire potest (quod etiam impedire in nobis non est), ut sua sanctitas illius opinionem de nostro statu audire cupiat. Atque igitur ne ille uno, procurator autem meus modo longè diverso, eidem res nostras referre conetur, maximè requiro, insuper et, zelo pacis atque etiam justitiæ incitatus, volo, ut dictus procurator cum præfato reverendo patre de negotiis nostris frequentiùs amicè consultare intendat, quò relationes illas, quas summo nostro pastori facere et exhibere nituntur, convenientes simul et cohærentes efficiant.

3°. Dum exopto ut procurator meus præfatum in modum agere cum prædicto reverendo patre, ejusque sententiam et consilium sæpiùs amplecti velit, non quidem ideo id facio, quasi eum in rebus ad regimen et officium meum spectantibus dominando occupari, aut aliquam inter nos et illum subordinationem constitutam esse vellem (ab utroque enim ipse in literis sæpè ad me datis pro suâ pietate videtur abhorrere); sed solùm ut ipso, tanquam optimo amico, et coadjutore fideli, utamur; quippe qui, perlongâ suâ experientiâ, et in rebus agendis prudentiâ, bono causæ nostræ, clerique totius honori, apud illam sanctam sedem multùm prodesse valeat.

4°. Eundem procuratorem meum sic animo affectum et præparatum habere vellem, ut conjunctim negotia nostra tractare se disponat cum reverendo ac nobili viro, D. Thoma Fitzherberto; tùm quia ipse hactenùs magno studio ac diligentiâ res nostras istic procuravit, tùm quia eum suæ sanctitati et illustrissimis cardinalibus inquisitionis sanctæ (in quorum præsentiâ dictæ res nostræ sæpiùs ventilandæ sunt) satis notum et cognitum esse non ambigo, tùm postremò, quia persuasum est mihi quòd idem præfatus venerabilis vir, quando viderit dictum procuratorem meum summâ animi consentione secum de prædictis rebus agentem, maximam ei totius negotii partem remittere paratus

erit, semperque nihilominùs paratissimus etiam existet pro utilitate communis causæ suam operam et consilium interponere.

5°. Quia hæc procuratoris missio per viam amoris et fiduciæ, non autem ad renovandam præfatam illam postulationem de episcopis, vel querelas ullas, præteritas sive præsentes, imò potiùs ad universalem pacem et quietem inter nos constituendam, omninò fieri intenditur, ad hæc certè proponenda multò faciliùs inducor et excitor; indè firmissimè in Domino confidens non posse quidem non esse gratissimum suæ sanctitati, si, divinâ ope mediante, radicem discordiæ omnisque contentionis ita semel è terrâ nostrâ extirpatam perspexerit, ut nobis dulcissimâ tandem et optatissimâ pace perfrui liceat.

6°. Hanc perpetuò extitisse animi mei sententiam, tùm venerabiles viros, D. Gulielmum Bishopum, D. Ricardum Smitheum, D. Edouardum Westonum, sacræ theologiæ doctores, tùm etiam Edouardum Bennettum et quamplurimos alios ex reverendis consacerdotibus meis, tùm denique admodùm reverendum patrem, P. Ricardum Holtbeium, societatis Jesu in Angliâ præpositum, aliosque ejusdem societatis venerandos patres, et omnes denique quibuscum, vel spontè vel eorum instantiâ, hisce de rebus frequentiorem sermonem habui, testes advoco. Hoc porrò desiderium meum et voluntatem esse fateor: hanc denique viam optimam ad conservationem unionis et pacis semper judicavi: ac propterea in hujus rei testimonium censui nomen meum propriâ manu subscribendum. Feb. 5, 1609.

GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter et
Protonotarius Apostolicus.

His prædictis nos infrascripti assentimur,

Gulielmus Bishopus,
Ricardus Smitheus,
Joannes Colletonus,
Edouardus Bennettus,
} *Presbyteri Assistentes.*

Edouardus Westonus, S.T.D.
Thomas Youngus, S.T.B.
Robertus Youngus, *Presbyter.*
Thomas Morus, *Presbyter.*

Concordat cum Originali.
Ita testor Ego, Georgius Birkhedus,
Angliæ Archipresbyter et
Protonotarius Apostolicus.

*** *Birkhead's Instructions to his Agent, Dr. Smith, Feb.* 9, 1609.

[Original in my possession.]

Præcipua capita de quibus pro suâ opportunitate tractandi, conferendi, et etiam proponendi, cum meliùs id visum fuerit, facultatem concedo agenti meo, D. Ricardo Smitheo, sacræ theologiæ doctori, quando Romam advenerit.

Cum jam diù reverendis ac dilectis compresbyteris meis satisfactionem plenissimam dare, omnisque contentionis ansam penitùs abscindere, mei officii esse putaverim ; cumque sæpiùs atque instantiùs iidem, me præsente, conquesti fuerint de non sublatâ occasione discordiæ, juxta mentem felicis memoriæ Clementis papæ octavi, in formâ brevis traditam 25° Octobris, 1602, et pontificatûs illius anno undecimo, operæ pretium duxi ut idem procurator meus imprimis à sanctâ sede apostolicâ humiliter discere conetur quatenùs ego nunc decreti illius vigore astrictus teneor, à quo hactenùs semper me liberum existimavi, tùm quia ad prædecessorem tantummodò directum fuisse constat, tùm quia in literis apostolicis, quibus nova ista provincia mihi injuncta est, ejusdem nulla mentio fieri videtur.

2°. Ut sanctissimum dominum nostrum de rebus nostris ecclesiasticis plenissimè informet.

3°. Ut tractet cum superioribus nostris de modo alendi quosdam ex presbyteris nostris doctioribus in partibus transmarinis, ad scribendum contra hereticos, atque ut sint prælectores sacræ theologiæ in collegio Duaceno, sicut in superioribus temporibus.

4°. Ut juniores sacerdotes, finito cursu in seminariis, non tam citò in Angliam destinentur, illi præsertim qui præclarioris ingenii specimen præ se ferunt ; sed potiùs ut, quantum fieri potest, aliqua ratio ineatur, quâ possint ad maturiorem theologiæ cognitionem pervenire, antequàm ad tam grave certamen dimittantur.

5°. Ut de angustiis quas hoc tempore periculoso hìc patimur, circa residentias sacerdotum ingredientium, aliqua consideratio habeatur, ne, eisdem residentiis vi et malitiâ hostium nostrorum indies deficientibus, crescat illorum multitudo, ad augmentum calamitatis nostræ ; quia etiam nunc non possumus providere illis quos habemus.

6°. Ne in vineam istam mittantur sacerdotes illiterati et imperfecti, ad majorem cleri ignominiam et confusionem, ut multi jam conqueruntur et submurmurant.

7°. Ut liberum sit sacerdotibus nostris, si ab academiis judicentur idonei, promoveri ad gradum doctoratûs.

Hæc ferè sunt illa præcipua capita quæ ad stabiliendam concordiam aptissima judico, et quæ sanctissimo domino nostro humillimè desi-

deramus proponere ; Deum optimum maximum deprecantes ut illum inspiret concedere et ordinare quæ ad Dei gloriam, et pleniorem ecclesiæ Anglicanæ consolationem pertinent, nosque paratissimos faciat ejus mandato obedire. Dat. 9 Feb. 1609.

GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter et
Protonotarius Apostolicus.

No. IX.—(*Referred to at p.* 21.)

*** *Persons to Birkhead, Feb.* 14, 1609.

[Copy in Dodd's MS. of his History, iii. 152.]

Most Reverend Good Sir,

Two of your letters I have received at once ; * * * and as concerning the sending hither your agent, I wrote to you sincerely my opinion before, how I thought you might best send him, to wit, just as of his own devotion, and afterwards to commit some charge unto him : but now, for so much as you write in your last, that that way is not much liked by the party himself, we have laid our heads together to see how it may be remedied ; and finding it at first very probable, and almost certain, that, if the matter should be proposed again of new, it would be denied, upon the general persuasion that the coming of new men would breed new troubles, we made recourse to *review the former prohibition,* and finding it to have been made *against such as should come publicly about soliciting of bishops,* wherein his holiness would not be pressed more than was convenient, it seemed that for you to send a particular man to inform his holiness of your state, person, condition, and manner of proceeding (you having never done it since the beginning of your charge), could not be evil taken—" especially he coming in loving and peaceable manner, " and appointed by your commission to join with Mr. Fitzherbert, in " the affair committed to him by you. This is my opinion :" and he being but one, and coming hither in as private a manner as may conveniently be in such a case, so as no great noise coming before him, as of new stirs, by letters, either of the two nuncios of Paris or Brussels (as needeth not), or others, we here do not think that his holiness can be displeased with it, *nor that it is any ways contrary to his order or commandment :* and we shall here be glad to see him, and assist him what we may. * * *

I write nothing of Mr. Colleton's letter that came in your packet[1]. I have written back an answer more large than I had proposed, at

[1] [Most probably the letter which I have printed, page xlv., ante.—*T.*]

the beginning; but desire to give satisfaction drew me on. I pray you convey it unto him; and, for all other matters, I refer me to that I have written before, and to that others will write, especially Mr. Fitzherbert, as I prest (*sic*). And so with this I take my leave, &c. From the place you know, this 14th February, 1609.

Your's ever,

R. P.

No. X—(*Referred to at p.* 23.)

*** *Persons to Birkhead, May* 2, 1609.

[Copy in Dodd's MS. of his History, iii. 143.]

Most Reverend Sir,

I have received yours of the twentieth of February; and, when your agent shall come, I hope he shall find no defect in us of love and due correspondence with him, in all matters appertaining to the good of the common cause; and he coming with intention of peace and amity, as you declare, we shall cooperate here most willingly to the same.

"We have received no letter or message from him, since his landing " on this side the sea, though many have written of him; and some make " large discourses, why he, being at St. Omer's, would not see the pope's " nuncio in his passage, nor see Douay, it being the proper seminary of " secular priests, where himself had lived; and why he went to Paris. " And also it was written that he was to pass thence to Rheims, where " Mr. Dr. Giffard is; and that father White, the benedictine monk, " goes from Douay, to meet him there; and that from thence the doctor " was to pass into Lorrain, where Mr. Pitts and others are: all which " points highly seem to raise, in some men's heads, great suspicions that " peace is not sought." Yet do I interpret all to be done, to quiet other men's humours, and form them to the real peace; which God grant may take effect, to God's glory, and our consolation that seek the same. * * And with this I remit you to Almighty God's protection, this 2d of May, 1609.

Yours ever most assured,

R. P.

*** *Fitzherbert to Birkhead, May* 23, 1609.

[Copy in Dodd's MS. of his History, iii, 171.]

Right Reverend Sir,

I have received your letter sent by Mr. Dr. Smith, and will be ready to give you satisfaction, concerning that which you request of

me therein, assisting him, from time to time, with my poor advice and labour; * * * though "the truth is, I have made some difficulty to "make suit, that you should be directly bound not to consult with the "fathers; because I do not see, by your instructions or letters, that you "desire it, but only that the clause in pope Clement's breve may be in- "terpreted, whether you stand already bound thereby, or no: but, for- "asmuch as Mr. Doctor protesteth that there will never be peace other- "wise, and that I find him resolute therein, and have reason withal to "think that he knoweth your mind better than I do, I therefore yield "that it may be propounded in such manner, as I make full account "that you will be declared bound, though how far I cannot yet tell." To-morrow we shall have audience of his holiness, as I take it; having only visited hitherto our protector and cardinal Borghese: so that I can give you no further account of anything as yet, but will do hereafter, as occasion shall require. * * From Rome, the 23d of May, 1609.

Yours as my own,

T. FITZHERBERT.

*** *Smith's Address to Pope Paul V., May* 24, 1609.

[MS. in my possession.]

Longa terrarum marisque spatia emensus, beatissime pater, ad sanctitatis tuæ pedes, ab archipresbytero ejusque assistentibus missus, accedo, non contentiones ullas prosecuturus, aut dignitates quascumque petiturus, sed afflictissimum Anglicani cleri statum sanctitati tuæ expositurus, eique remedia, maximè quæ ad pacem inter nos conservandam spectant, postulaturus. Fuerat enim cleri nostri, sub sanctæ memoriæ cardinale Alano, primo seminariorum nostrorum institutore ac parente optimo, conditio felicissima. Vigebat concordia, florebat eruditio, eminebat pietas, ingens martyrii studium, ac propagandæ fidei ardor, fervebat. Sed, illo ad meliorem, uti speramus, vitam translato, inversus est citò (proh dolor!) rerum nostrarum status: exortæ sunt contentionum procellæ, literarum studia deferbuerunt, propagandæ fidei ardor refrixit: quibus malis ut à sanctitate tuâ remedia expeterem, tuâque authoritate firma inter nos pax constituatur, literarum studia promoveantur, animique nostri ad fidei propagationem ampliùs accendantur, hùc missus sum. Situs est enim, beatissime pater, in sæcularibus nostris sacerdotibus juvandis, regni nostri juvandi cardo, et convertendi spes: hi enim, ut alios numero longissimè superant, sic primi fuerunt qui seminaria nostra inchoarunt, primi qui, non precibus nostris inducti, aut exemplo provocati, ut alii, sed à Deo ipso

mirabilitèr excitati, in Angliam, convertendæ gentis causâ, ingressi sunt, primi qui concionibus ac scriptis eruditissimis Anglicanam hæresim oppugnarunt, primi qui pro catholicâ fide exilia, carceres, tormenta, mortes, sustinuerunt. Hos frequentissimis martyriis honorificavit Deus ; adeò ut, cum, ex omnibus qui sunt in Angliâ religiosis ordinibus, aliqui pro catholicâ fide gloriosè occubuerint, ferè deciès tamen plures eis omnibus ex sæculari clero martyres extiterunt. Ex his ad unum penè omnes gentis nostræ religiosi, omnisque in gente nostrâ catholica religio exorta est : ac, nisi ipsi prostratum vexillum fidei erexissent, ac hæresum inundationem corporibus suis interclusissent, nec religiosi, nec religionis catholicæ vestigium aliquod hodiernâ die in Angliâ remansisset. Atque hæc dixerim, non ut religiosorum existimationem imminuam, à quibus, pro tempore ac numero suo, egregiè contra hæresim certatum esse ingenuè fateor ; sed ut verè intelligat tua sanctitas quinam sint qui hujus acerbissimæ persecutionis pondus et primò, ac præcipuè, et hactenùs sustinuerunt, et adhùc sustinent ; adeoque quinam à tuâ beatitudine in hoc certamine præ aliis fovendi, protegendi, ac animandi sunt. Est autem, beatissime pater, legatio hæc, quam pro ipsis obeo, prima quæ ex Angliâ, cum communi consensu cleri, postquàm hæresis illic dominari cœpit, ad hanc sanctam sedem missa est : est petitio, quam eorum nomine à tuâ beatitudine postulaturus sum, prima quam, post quinquaginta annorum pro Dei ac hujus sanctæ sedis honore toleratam persecutionem, à benignissimo patre filii amantissimi petierunt : est petitio, quam, nullius cum injuriâ, nostrâ maximâ cum utilitate, nullo sumptu tuo, imò nunnullo honore Deique gloriâ, possis concedere : est etiam petitio, quam, maximâ ex parte, jampridem tua sanctitas nobis concessit ; precamurque ut donum tuum nobis conserves, judicium tuearis, sententiamque defendas :—est denique petitio ejusmodi, ut, ex illius concessione vel negatione, pendeat omnium nostrûm aut hereticorum summa confusio vel exultatio. Si enim (quod avertat Deus) primam hanc petitionem nostram rejeceris, et nos in perpetuum animos despondebimus, et hæretici triumphabunt, nobisque exprobrabunt nihili pensos esse ab hac sanctâ sede tot labores nostros, contempta pericula, neglectas mortes : sin verò (quod omninò speramus, ac certò nobis pollicemur) votis nostris annueris, ingemiscent hæretici, hostes tui, exultabunt sacerdotes, filii tui, depredicabit christianus orbis paternam solicitudinem atque apostolicam benignitatem, quâ nos, jampridem tibi devinctissimos, adhuc magis magisque devinctos efficies.—Dixi.

*** *Smith's Memorial to Pope Paul V., May* 24, 1609.

[Smith's own copy, MS. in my possession.]

Cum, ad pacem constituendam inter D. Blackwellum, tunc archipresbyterum Angliæ, et quosdam presbyteros Anglos, sancitum sit à felicis recordationis Clemente papâ octavo, per literas in formâ brevis, datas die 5°. Octobris, 1602, ut idem D. Blackwellus non communicaret, aut tractaret quicquam de negotiis ad regimen Anglicani cleri spectantibus, cum patribus societatis Jesu, in Angliâ vel extrà existentibus, per literas aut interpositam personam, aut alio quovis modo; cumque nunc in locum ejusdem D. Blackwelli D. Georgius Birkedus suffectus sit, dubitatioque non parva orta sit, num ipse ad observationem dicti brevis teneatur, quia, ex unâ parte, videtur sibi non obligatus, eo quòd illud ad prædecessorem suum tantummodò directum fuerit, et quia in literis constitutionis suæ nulla mentio sit supradicti brevis; ex aliâ verò parte, presbyteri sui asserunt ipsum obligari, tùm quia eadem est ratio obligandi ipsum et prædecessorem suum (nimirùm, ne nova discordiæ et contentionis inter presbyteros et religiosos occasio præbeatur; utcumque igitur non teneatur lege, videtur ratione legis teneri); tùm quia ipsi religiosi societatis pro bono pacis et quietis inter catholicos in Angliâ judicarunt expedire ut ita fieret; tùm etiam quia ita petunt presbyteri Angli, quos, unionis et concordiæ spiritu ductos, Dei optimi maximi gloriam et boni publici conservationem ac propagationem sinceris animis desiderare præsens D. Archipresbyter testatur; tùm præterea quia sanctissimus dominus noster speciali brevi suo, ad omnes Anglos dato ante institutionem hujus archipresbyteri, dictum Clementis breve confirmavit, præcipiens omnibus Anglis illud ad literam, et sine ullâ expositione, observare; inter quos præsens D. Archipresbyter videtur comprehensus: denique quia, si dictum breve observetur, certa spes est concordiæ inter presbyteros et religiosos; sin minùs, timendum est ne unquam pax coalescat.

Petit igitur humillimè dictus D. Birkhedus, archipresbyter, ut sanctitas vestra declarare dignetur quatenùs ille vigore prædicti decreti astrictus teneatur.

Note, in Smith's handwriting:—

"Porrectum fuit hoc memoriale suæ sanctitati 24° Maii, 1609; et tùm statim vivâ voce, tùm postea per literas cardinalis Blanchetti, declaratum à suâ sanctitate, quòd archipresbyter obligaretur dicto brevi."

*** *Persons to Birkhead, June* 6, 1609. *A public letter.*

[Copy in Dodd's MS. of his History, iii. 143.]

Most reverend and worshipful Sir,

To yours of the twenty-seventh of February I answered upon the second of May, signifying therein how willing Mr. Dr. Smith, your agent, should find me, at his coming, to comfort, help, and pleasure him, in what I might, according to your desire: and so, I think, he finds it in effect, arriving here one week, or thereabout, after the writing of my said letter; whom I received here most willingly in the college, together with his companion, Mr. More; and gave them both the most kindest entertainment I could, for the space of the eight days that they remained; inviting them to stay longer, even so long as we should have any room, which now is much straitened by the multitude of people which we have for the present.

During the time of their abode, Mr. Doctor imparted with me divers writings of yours, but namely, his commission, your instructions for explication of your mind and meaning in this his commission, and then the points to be treated, whereof "the first was, for you to be bound "not to deal with us and any of ours, in matters of your government[1]; "wherein he was very earnest to have my consent," as in the matter, he said, of greatest importance for the peace desired; and it would be taken there very kindly, if we of the society granted thereunto. I answered that I found no difficulty in our behalf, especially if you were content to be bound: but yet, for that father general was forth of town, and that you writ in your instruction this clause, that he and I should deal together, *si sanctissimo placuerit*, "I could not well enter "into that treatise, except that either father general were come home[2],

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[1] [It was not an application "to be bound", as here set forth, but a request to be informed *how far* the existing breve of pope Clement was obligatory,—"ut discere conetur quatenùs ego nunc decreti illius vigore astrictus teneor" (see Birkhead's Instructions, and Smith's Memorial, pp. lvi. lxi. ante). Persons, who had persuaded Birkhead that the force of this breve had expired, was of course anxious not to appear to have deceived him; and hence the present misrepresentation occurs in every instance, in which either he or Fitzherbert alludes to this subject.—*T.*]

[2] [The reader will naturally enquire how the return or the consent of the general could affect a question, which turned, as Persons pretended, on the approbation of the pope?—The truth, however, clearly is, that the reference to the pope's pleasure, if it was really made, was but a pretext: the real motive of the refusal to discuss Smith's propositions was a wish to prevent their being submitted to the papal notice. Hence, as soon as the general had signified his approval of the matters to be propounded, the pleasure or displeasure of the pope seems to have been entirely forgotten, and Persons, without further difficulty, proceeded at once to debate the very points, for whose discussion, if we

" or that a word were spoken to the pope," in the first audience that he and Mr. Fitzherbert should have together with his holiness, that he would be content that we should treat this and other points among ourselves first, according to your desire. * * * But Mr. Dr. Smith in no wise would consent to this, but would needs have the first point at least proposed in the first audience ; whereunto finally I gave my consent, for so much as touched the society, as did also father general, at his first coming home[1] ; and so they had their audience, as I doubt not but that both they and Mr. Swinnerton have written unto you. And for so much as they told his holiness that *father general and I* did willingly, for peace' sake, *cedere de jure nostro,* " his holiness " did, without difficulty, transplace the obligation of the last archpriest " upon yourself[2], with this interpretation, that the prohibition should

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may believe himself, he had previously required the permission of the pope. That the reader, however, may compare the two, I subjoin Smith's account of this transaction:—" Integrâ illâ hebdomadâ egerunt simul, nec quicquam concludi potuit, cum proponi nollet P. Personius hæc capitula, agens autem contenderet non sibi integrum esse propositionem illorum omittere ; solùm de modo esse consultationem, nempè, quomodo possent sine ullius offensâ proponi ; quâ in re paratum se esse ejus auxilium et authoritatem sequi. Adiit etiam, quò nihil intentatum relinqueret, idem agens reverendissimum patrem præpositum generalem societatis, eoque plenè de omnibus informato, hoc responsum retulit, se, omnibus ritè perpensis, nihil in illis capitulis observare contra societatem suam, nihilque in eis sibi displicere nisi primum, quod tamen ita posset proponi, ut nequaquàm cederet in injuriam societatis: agente autem ex animo et infictè promittente se in modo proponendi velle se eam moderationem observare quam vel ipsi optarent vel consulerent, discessum est. Itaque primam supplicationem suam contulit cum P. Personio, et prout voluit correxit in quibusdam." Smith's Narrative, MS. in my possession.—*T.*]

[1] [An incautious reader might suppose from this, that Persons's assent preceded the return and approbation of the general: Fitzherbert, however, thus explains the studied ambiguity of his friend,—" The father", says he, " would not agree to enter into any consultation of particulars, until either his holiness gave him leave, or, at least that father general should return, and give his consent. And though Mr. Dr. Smith was herewith much offended, for two or three days, yet at length father general returning, and giving his consent to father Persons to treat of these matters, we are agreed to proceed to the proposition of the first article." Fitzherbert to Birkhead, May 23, 1609, copy in Dodd's MS. of his History, iii. 171.—*T.*]

[2] [The reader must pardon me for offering one or two remarks on this passage. 1°. It is not true that Smith ever spoke of Persons and the general, or of their alleged willingness, as Persons expresses it, " to surrender their rights." What he really said was, that the clergy, among other reasons for believing the breve of Clement to be still in force, argued that the jesuits themselves had formerly acknowledged the necessity of its provisions, for establishing and preserving harmony among the missionaries (see his Memorial, p. lxi., ante). 2°. It is clear that the decision of the pope could not have been influenced, as Persons pretends, by the representation thus falsely attributed to Smith ; but must have been grounded on totally different considerations. 3°. It is a perversion of the fact to say that Paul " *transplaced* the obligation of the last archpriest" upon

" be only *quoad dispositionem subditorum et materias statûs;* but " in matters of doctrine, cases of conscience, or spiritual affairs, you " should be free to deal with whom you would; which is the very same " interpretation which his holiness had given before, by cardinal Far- " nesius, to the last archpriest: and so I trust that, about this, there " will be no more matter of contention or falling out."

As for the rest, I do not see yet that they have begun to propose any other matters; but, when they shall, if they will follow your prescription, set down in your declaration concerning conference with us your friends here, they shall not find us backward to any thing that is reasonable; and, if they follow your direction, in joining with Mr. Swinnerton, they will find help and commodity thereby: for " he is a " man both learned, pious, and wise, and of very good credit and " experience in this court, and will deal confidently and friendly with " them and for them, if they use the like proceeding towards him, and " do not seek to disturb him, or use him only for a cipher, as some " suspect they do mean; for, in that case, they will find him no child; " and so, I hope, it will not fall out. And, in my opinion, you may " do well to prevent it prudently, by your letters, for the common " good, as of yourself, without shewing to have received advertisement " from me." And with this I take my leave, &c., this 6th of June, 1609. Yours ever, &c.

R. P.

" Mr. Doctor told me that he had seen a letter of mine, written unto " you, wherein I affirmed his holiness neither would hear any more " reasons, neither have any thing written, nor any men sent about the " affairs of England. If you have the letter, I pray you send me the " clause, together with the date of the letter; for I remember not so " many clauses written by me,—I mean the first two." Yet did we treat the matter very friendly; though I said I would write to you about it: and so I do.

Even now hath your agent been here, and is to go to cardinal Blanchetti, to take out the order about the clause in the brief. I think the cardinal means to write to you himself. I have invited your agents to our vineyard, the next vineyard day, and to sing us high mass upon Trinity Sunday, and stay with us that day: nor shall any office of courtesy on my part be wanting, God willing,—who ever keep you.

Birkhead. On the contrary, he declared that the obligation had always existed; that the breve of Clement regarded Blackwell's successors, as well as Blackwell himself; and, consequently, that Birkhead was as strictly bound by its injunctions, as the person to whom it was originally directed (see the next paper).—I have pointed to the object of these misrepresentations on the part of Persons, in a preceding note, page lxii., ante.—*T.*]

*** *Cardinal Blanchetti to Birkhead. June* 6, 1609.

[Original in my possession.]

Illustris et admodùm Reverende Domine,

Recepit sanctissimus dominus noster dominationis vestræ literas, datas Londini duodecimo Februarii proximè præteriti, sanctitati suæ per reverendum dominum Ricardum Smitheum redditas, quæ illi admodùm gratæ fuerunt; et quæ de salute, et pietate, et assiduâ ac pervigili curâ vestrâ retulit, ea maximo cum gaudio intellexit. * * * Quo verò ad ea, quæ idem dominus Ricardus sanctitati suæ, nomine dominationis vestræ, exposuit, sanctitas sua mihi mandavit, ut, nomine suo, dominationi vestræ significarem, ea, quæ à felicis recordationis Clemente octavo prædecessori vestro injuncta fuere, *ad archipresbyteri, cui directa fuerant, successores respicere*, et per vos et successores vestros servanda, juxta formam tamen in literis illustrissimi et reverendissimi domini mei, domini cardinalis Farnesii, quarum exemplum mitto dominationi vestræ præscriptum[1]: quamvis enim de patribus societatis confidat sanctitas sua, propter eorum summam pietatem, zelum, et charitatem, et prudentiam, quorum omnium usque ad effusionem sanguinis plura ediderunt testimonia, tamen multùm paci et quieti hujus regni profuturum credit, si, quoad administrationem et regimen ecclesiæ Anglicanæ, ipsorum operâ dominatio vestra non utatur. Hæc sunt quæ sanctitas sua vobis præscribenda mihi injunxit; quod ego libentissimè faciendum suscepi, ut, hac sumptâ occasione, dominationi vestræ et omnibus hujus regni catholicis mea studia et operam offerre, prout ex toto corde offero, possem. * * Valeat dominatio vestra, et fidei catholicæ alacri animo incumbat. Romæ, die sexto *Maii (Junii)*[2], 1609.

Illustris et Reverendæ admodùm, D.V.

Uti frater, amantissimus,

L. Cardinalis Blanchettus.

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[1] [See the extract from Farnese's letter, page xxxix. note, ante.—*T.*]

[2] [There can be no doubt that *May* is here written by mistake for *June*. It was not until the 24th of May that the pope pronounced his decision: and, on the 6th of June, Persons tells us that Smith was then gone to Blanchetti for the order contained in this paper. In the postscript to another letter, written later on the same day, Persons adds that, since he wrote in the morning, it had been delivered to Fitzherbert. Dodd's MS. of his Hist. iii. 155.—*T.*]

No. XI.—(*Referred to at page* 29.)

Persons to Birkhead, June 6, 1609.—*A Secret Letter.*

[Copy in Dodd's MS. of his History, iii. 154.]

Soli.

Sir,

Albeit I have written largely enough unto you by another man's hand, touching our common business, yet our old love requireth that I should confidently let you know some particulars apart, which if you like to read and understand, then I must impose upon you the obligation of secresy; which if you like not, then do not read the same, but presently burn the letter; and if you read it, then must you remain bound to impart it with none, *except* it be with *the superior of our fathers there*, or with some other of *his company*, with his liking[1].

By the papers you sent hither, to wit, the commission and your instruction, together with the *puncta proponenda*, and letters both to his holiness and others, we did easily see the straits you were in, by the importunity of some there that urged you, for satisfying of whom you were of necessity to yield to divers points, which, of yourself, we presume, you would not have set down,—as when you say of me—"*Non quidem ideo id facio, quasi eum in rebus ad regimen et officium meum dominando occupari, aut aliquam inter nos et illum subordinationem constitutam esse vellem*, &c.;" the words—"*dominando occupari*," we do not think proceeded of yourself; for so much as the sense might have been explicated in more friendly terms. But we presume whence they came; as also the other clause following, in the next point, touching your old agent, what you say about his resigning to the other, "*maximam ei totius negotii partem remittere paratus erit*,"—which may seem a secret and close discharging of him, contrary, in effect, to that which the commission containeth, and the letter to his holiness, wherein he is jointly put in authority with the agent. But this also we imagine how it passed[2].

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[1] [Another letter, written on the same day, and intended, of course, to be communicated to the *clergy*, has been printed in the preceding number of this Appendix. The reader will probably compare the friendly terms in which he there speaks of Smith, with the malicious charges and insinuations here *secretly* poured out against the same person.—*T.*]

[2] [It was the policy of Persons to disconnect the archpriest, as much as possible, from the present negotiation, and to represent the agency as emanating, in substance and detail, from a small number of the old appellants. To the assumption, however, here put forward, Birkhead thus replies in a letter to Smith,—"The articles, which I have set down, were of my own drawing; and therefore I would have my friends to think they proceed of myself, as much as of the judgments of others." July 30, 1609. Original in my possession.—*T.*]

Yet, notwithstanding, you shall be sure to find us as your old best friends, and ready to concur with any reasonable means you can think upon, for the peace so much desired: and so we have done here in this occasion, yielding to every thing demanded at our hands[1] (though, as to us it seemed, with never so little reason), to take away all matter of complaint. And, for my own part, I have borne myself towards them (I mean your agent and his companion), as though I had been their scholar, and they brought me up, and not I them; and as if they were ancient men in this court, and knew all things that were to be done, and I were young and knew nothing; which was needful, if any peace were to be held: for truly, upon my conscience, I never dealt with any men in my life more heady and resolute in their opinions than is the doctor, whom the other in all things secondeth: and of this judgment, I doubt not, is also Mr. Swinnerton, who was forced, some days gone, in a conference with them, to hold up his hands, and say that he never found himself so overlaid and oppressed with words in his life; and with that he got some audience, and leave to speak at length. But this we interpret to proceed of lack of experience; and so, in great part, will in time, perhaps, be remedied. The chief point is, how they will agree with you and your sense, in the principal affairs that are to be treated: for, as for the first, about *binding you not to deal with us*, it seemeth they dealt indirectly, at least, against you; for *it had been better for you to be free, in all men's judgments here*, who also do note that, when any matter is talked of, wherein the appellant priests and you may seem to be of different judgments (as in the former point), then they urge for the priests and clergy of England; and when they propose any thing that is not like to be the common judgment or desire of all, or the more part of the clergy, then they urge that you, as head, demand the same, and consequently the body, though you permit it only to be proposed; so as, in effect, we find them to be surest to the appellants, both in judgment and affection; and we do not think that you could easily have sent two others, more passionately addicted that way than these, out of all your clergy. Yet do I hope that we shall proceed friendly with them, if they will contain themselves in any temper of moderation.

The doctor's large oration to his holiness, in comparison of priests

[1] [The whole of Smith's demand was, that the matter intrusted to him by his principal should be laid before the pope. To this Persons ultimately "yielded"; but not before the decision of his general had left him no other alternative. See pp. lxii. lxiii. notes, ante.—*T.*]

and religious men, and of their labours in England, so gloriously advancing the one above the other, did displease all that heard it, to my knowledge: and it could not but make his holiness to see a great spleen among us, even in those that came to pretend peace[1]; and the same was not a little confirmed by the present vehement urging of the exclusion aforesaid[2]. Yet could no man persuade himself that these speeches did proceed out of your sense (as commonly ambassadors' speeches are presumed to do from the sense of their patrons), but did ascribe it to their own affections. And one thing was noted in particular, that, albeit his holiness asked for you, and Swinnerton took occasion thereby to speak honourably of you, *yet none of them spoke any thing in your praise*,—thinking, perhaps, that to be sufficient which the other had said. And, in truth, what they would do, if you should not give them contentment in all their demands, I know not; and how you will be able to yield that contentment in all, I less know; for I do easily foresee that you will have no small contradiction from others. I shall pray to God to give you light and assistance; and my counsel shall be, to proceed as reservedly as you may, and to take the verdict also of your old assistants, when the matters are of weight, and do concern the whole; for I see some murmuring like to be in that behalf. And so, hoping that this will be taken well, as proceeding from the old love you know, and be kept in silence, as is before requested, I end, with my heartiest commendations, this 6th of June, 1609.

You know the hand and heart of

THE WRITER.

*** *Fitzherbert to Birkhead, June* 27, 1609.

[Copy in Dodd's MS. of his History, iii. 172.]

Right reverend and most dear Sir,

* * In my last, I sufficiently advised you of what had passed in your business, and therefore forbear now to repeat it. Since that time, Mr. Dr. Smith hath conferred with father Persons and me, about the other points which he hath to propose, of the which I like the first very well, to wit, the erection of the new college. * * Another point, which Mr. Doctor hath conferred with us, is about the breve for making doctors; and forasmuch as the whole authority of that matter is in the hands of our protector, and he now absent, I dare not,

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[1] [He alludes to the speech which I have printed in the preceding number of this appendix. See page lix. ante.—*T.*]

[2] The exclusion of the jesuits from interfering in the affairs of the clergy.

for my part, neither do I think it any way convenient for any man else, to deal in it, without his knowledge and consent first obtained: for, otherwise, it will seem to be an opposition against him, which I think not fit for me to undertake, nor any Englishman, especially such as mean to live in Rome. Besides that, I hold it for most certain that his holiness will never determine any thing against the protector's authority in that behalf, in his absence; neither yet if he were here, without his full and free consent. "Nevertheless, Mr. Dr. Smith "hath moved it already, in a particular audience which he hath had, "two days ago, and, since that, requested me not to hinder it, "though I dare not further it, and should be loath to be thought "to have a hand in it," in respect of the obligation that all our nation, and I in particular, have to our protector. I have promised him not to meddle in it, and will expect what will be the issue.

A third point there is, about the multitude of priests, and the little means to maintain them, and some remedy to be found for it; wherein there are such difficulties, as we cannot yet conclude any thing for that matter: in which respect, Mr. Dr. Smith hath not yet proposed it, as he saith. And this is all I can advertise you of in this, &c. From my old residence, the 27th of June, 1609.

Yours ever, as my own,

T. SWINNERTON.

"I remember, in a postscript of your letter of the second of May, "you say you must remit those of the Clink to the highest; in which "sense you have written also to Mr. Dr. Smith, as he saith: where- "upon it hath seemed very convenient to father Persons and me that "his holiness were dealt with, to know his mind concerning them; but "Mr. Doctor doth not like of it, by any means, being loath that they "should be made desperate"; thinking it more fit that they should be permitted to abuse men with pretence and use of their lost faculties (because none are abused, saith he, but those who are willing to it, and ought to know the abuse), than that any further declaration should be made against them by his holiness. * * *

*** *Persons to Birkhead, July* 4, 1609. *A public letter.*

[Copy in Dodd's MS. of his History, iii. 151.]

Right Reverend and my dear Sir,

My last unto you were of the sixth of June, and, since that, I have received two of yours, of the twenty-second of March and second of May. * * I delivered your enclosed to Mr. Dr. Smith, and have before this, sent divers of his towards you; and all such good offices of

love and kindness, as that is, I have not omitted, nor shall not, towards him and his companion. After their departure from this house, at their first coming, we have continued all kind manner of proceedings. I have been at their lodging, to visit them; and they have been often with us here. I have had them at our vineyard, with all the scholars of the house together, whither I went, of purpose for their sake. I do send often Mr. Anthony Roberts and Mr. Thomas More, nephew to the agent of the same name, to visit them. I had them here, both of them, upon last Trinity Sunday, and none of the nation besides; and the doctor sung the high mass, and Mr. More said the first common mass, and communicated all the scholars; and, two days gone, I being at home almost alone (for that the scholars were gone to the vineyard), I invited them two alone, and we dined together, and afterwards talked largely and friendly together of all points: which I repeat to you, only that you may see that, on my part, there wanteth not desire to live friendly, if we may, together.

"Now, as for business, I have written to you before, that I "promised Dr. Smith and his companion that, wherein I might, and so "far as I might, not going against my own conscience and judgment, "I would also concur; and so I did presently, in the first matter by "them proposed (though we differed somewhat *in modo et tempore* "*proponendi*), to wit, for *binding of you* not to treat with any of our "order, in matters belonging to your government; though I had "many reasons to persuade me that it could not be your desire "or benefit to be bound, but rather to be free to help yourself where "you liked most, as other prelates do, yet did I concur, and *confirm* "*also our father general in the same*[1]: which being known to his holi-"ness, the matter passed without difficulty. To which effect Mr. Dr. "Cecil also writeth from Paris, that his holiness answered to the "nuncio, writing of the coming to Rome of the two agents, that, if he "should see them agree with others here (naming us of the college), "he would hear them; otherwise not," for that he was weary of English contentions.[2] Whereupon I have been very careful that no dissension should be seen among us.

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[1] [See page lxiii. notes 1 and 2, ante. The reader will not fail to observe that, in this passage, all the misrepresentations, on which I have already remarked, as connected with the present subject, are again repeated.—*T.*]

[2] [Nothing can be more untrue than this account of what Cecil wrote. His letter, which is dated on the tenth of October, 1608, and is addressed to Edward Bennett, now lies before me; and the only passage that relates to this subject is the following:—

"For our old, and your new, affairs, as I understand by Paul's factor" *(the*

Upon St. John Baptist's day, Mr. Doctor coming to me, to ask my opinion of some other points that he would propose, to wit, about the new house he pretended to be erected for such as would undertake to write against heretics, and the revocation of the brief about making of doctors, I told him plainly and sincerely that, for the first, I had no difficulty, but rather desired it much: * * but, as for the second, I told him that it was not fit for me to deal therein, for two reasons,—first, for that the protector was out of town, and that I dared not presume to treat of a matter, tending to the abridging of his authority, in his absence and without his knowledge; and the other reason was, for that the brief having passed through the hands of this pope, when he was vice-protector, and [he] having taken the opinions of all the chief English in Rome at that time, together with their reasons to and fro, and mine among the rest, I was not fit to treat for the revocation, especially for that the same reasons of inconveniences, alleged then, seemed to remain still, and that no man could easily imagine what interest or utility could arise to you or to your government, or to the clergy in general, by this revocation; for so much as any man, recommended by yourself, or otherwise thought fit, might, *for the asking leave*, have the grace. Yet I added, for any thing belonging to me or to the society therein, we should easily remit it, that our opinions should not be asked, *if his holiness would.* And so we ended, at that time; I requesting him to confer the matter with Mr. Swinnerton, as his colleague, &c.

But it fell out that, the very next day, " an audience being asked " and obtained for Mr. Doctor and Mr. More, by cardinal Blanchetti, " without Mr. Swinnerton's knowledge, and the foresaid two points " proposed to his holiness, it seeming to Mr. Swinnerton that they " made little account of him, and would shift him off, he felt it not a " little," and had, I think, some speech with them thereof; but, after all, was pacified, upon the satisfaction that Mr. Doctor gave, that he expected not audience so soon. And so, the said two points being referred to the congregation of the whole inquisition by his holiness,

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nuncio) " in this place, all the whole business is committed to cardinal Blanchetti; and certain difficulties and doubts, that arise in that affair, will be sent you into England, to answer; which if you can do sufficiently, you will have your desires. They are informed there that you mind to send again; which I am informed, as from his own mouth, will not be well taken; and they that come will have but cold entertainment, unless they have new matter, or they bring means to remove all difficulties, and compose all differences: and this his factor here willed me to advise you, as wishing you all the good in the world." Original in my possession.—*T.*]

it was answered by the said cardinal vice-protector that, albeit his holiness would not, for the present, set up any new house or convent for writers, nor have it done in his name, yet he would not hinder or forbid it; and, if any did write any books, to be printed in defence of catholic religion, he would contribute towards the charge of the printing, &c.[1]; and, as for the other, of the brief, his holiness said that he remembered that it had passed through his hands, when it was made, and that he would see and consider the reasons to and fro again, and, after, give his answer.

And this is the present state of matters here. And the cardinal called both Mr. Swinnerton and the Doctor, with Mr. More, to receive the answer together: and they all came to the college, to tell me of it: and *we live very good friends*, and so I hope shall remain. And all this I was desirous to let you understand from myself (though I have much other business at this time), for the love and respect I bear unto you, and unto our other good friends there, from whom these come, to whom I would gladly give all the due contentment that I may, not only in this, but in any other thing: and so, I pray you, let them know, by your best opportunity. And our Lord Jesus be with you ever, to whose holy protection I commend both you and them, and myself to your holy prayers. This 4th of July, 1609.

You know the bad hand.

R. P.

*** *Persons to Birkhead, July* 4, 1609. *A secret Letter.*

[Copy in Dodd's MS. of his History, iii. 146.]

Soli.

Good Sir,

" By my last, of the sixth of June, I wrote to you a large " *soli*, with obligation of secrecy; and so I do this", though I have much less to say than at that time. I have offered effectually to the doctor to concur with him to put up a memorial about a pension for you, as you wish; but hitherto he hath not spoken to me thereof again. It may be, he expecteth first to see some of his other business despatched: but I shall put him in mind again.

" About those of the Clink he talketh very favourably, except only " of your predecessor; and is no way inclined that their case should " be proposed to his holiness, to take some other remedy, to remedy " the scandal and contempt therein used: wherein others here are of " another opinion, and have disputed with him about it; but he would

[1] [See this History, iv. 133—137.—*T.*]

" have no other thing done therein, before they were written unto, to " know why they did not obey; and saith that to take away faculties " were a great loss, and may drive them to worse, &c. But I have " told him that I cannot suspect so bad, but rather that, being further " urged, God will give them grace to obey."

Here was an advice came of the new chamberlain[1] his dangerous sickness: but I saying nothing thereof, Mr. Swinnerton thought it best to tell the doctor, who, *though I presume he was sorry for the news*, as we were, yet he said that *perhaps it might prove to the best:* " whereby, and by many other things, we see here that he and his " friends do stand upon other principles, and mislike the present state " of things and men, and do take every least occasion, to urge the " same, with very shallow reasons oftentimes, as to me they seem. " And they are so earnest in their own new conceits, as they will " scarce with patience hear any thing against the same: and perhaps, " when they shall have proved other designments against their own, " they will prove and find far other difficulties than they do now." But the thing that grieveth me most is, the inward and settled difference of judgments and affections, which they discover, from those with whom they ought to join. But God knoweth whether ever they will, who only can remedy the matter, &c.—This 4th of July, 1609.

Yours ever,

R. P.

You write, in one of yours, that some of ours have given new occasion, by sharp words, of new concerns. I pray you let me understand some particulars, &c.

*** *Persons to Birkhead, July* 25, 1609.

[Copy in Dodd's MS. of his History, iii. 150.]

Right good Sir,

I wrote to you largely, upon the fourth of this month, and now I have little to say, only to salute you by this occasion. * * * Your agents here had returned them their answer, upon Thursday last, the 23rd of this month, after the congregation of the inquisition was done,—that it was decreed that no alteration should be made about the brief for proceeding doctors, for the present, but only this, that such as had studied in the seminaries might take the rector's testimony of their sufficiency, at their departure from thence; which might serve them, after the other four years prescribed, to proceed, without demanding their testimony anew: but, as for taking it from the protector

[1] [Birkhead himself.—*T.*]

to give his approbation, his holiness would not, &c. This was, in effect, the answer, whereunto also Mr. Fitzherbert was called by cardinal Blanchetti, to receive the same jointly with Mr. Dr. Smith and Mr. More, as your agent in like manner. * * * And now Mr. Fitzherbert telleth me that they shewed themselves discontented at the answer; for which I am sorry, for that it will do no good, but rather hurt. "Some words they cast out, as though some had gone about to "cardinals, to cross this suit"; but, upon my conscience, I talked with no cardinal at all thereof, but only with cardinal Blanchetti and cardinal Bellarmine, upon other occasions; of both of whom I desired that no difficulty might be made about the clause of the brief, that our fathers' judgments, that were rectors, should be taken, about *their* fitness that would proceed; for that we did willingly *cedere de jure nostro* in that point, as we had done in the first point, about *having you bound* not to deal with any of ours in matters of your government. And this is mere truth, *coram Deo*. And Mr. Fitzherbert assureth me that he spoke with no cardinal at all, about the matter, but only with cardinal Blanchetti. And I believe this, as all the rest, is but suspicion. * * And heartily I could wish there were more familiarity and confidence, and more communication in affairs. I have offered them to concur in all things that, in reason and conscience, I may: and "I would have them to propose rather some profitable "things to the common cause, and such as might not have *speciem* "*oppositionis, vel animositatis*", but might be equally grateful to all. * * But I see little inclination hitherto: time, perhaps, may teach more experience. Thus much I thought good to let you know now; and so I bid you heartily farewell, this 25th of July, 1609.

Yours ever, whose hand you know,

R. P.

*** *Birkhead to Smith, August* 2, 1609.

[Original in my possession.]

Good Sir,

I have answered your letters of the twenty-fourth of June, by the same way they came to me: and now I am only to desire you to be careful in dealing with our friends there. Take heed to your words and behaviour. Some flying speeches are already bruited abroad. I trust Mr. Swinnerton, if he be ours, will concur with you: if not, but rather doth oppose himself against you, let him abound in his own sense; but go you forward in your suit, and make the best friends you can. The points, which I have proposed, do seem reasonable to all

that have seen them here with us. In any case, give our said friends gentle words, and use good carriage towards them, notwithstanding they oppose against you. I have no doubt but that your reasons will be heard with clemency. Our very distress forced me to crave that some moderation might be taken, about sending more supply; though I knew well enough that my friend, Mr. Robert (*Persons*), would not like thereof: but he may easily give a man leave to complain, where his shoe doth pinch him. I have told Mr. Swinnerton my mind: for if he be of the society, or in order unto it, he will be thought no fit man for me to use, how well soever I love him: if he be of the clergy, then must he be content to prosecute such petitions, as we here shall think convenient; which I hope he will do very willingly, upon better consideration of all circumstances. If he will not do so, then you shall see that he will leave you of himself, rather than to begin new quarrels amongst us. * * I beseech Almighty God to bless your endeavours, to whose holy grace I commend you, this 2nd of August, 1609. Your assured friend always,

GEORGE SALVIN. (*Birkhead*).

*** *Persons to Birkhead, Sept.* 15, 1609. *A secret letter.*

[Copy in Dodd's MS. of his History, iii. 146.]

Soli.

Right reverend good Sir,

" This time also I have thought good to presume confidently to " advise you apart of some points of secrecy, under the condition " agreed before between us." You need not doubt of any breach, of our parts, that are your old friends here, for we shall bear and seek to accommodate all. " Your agent and I have talked largely" and friendly together, of late, and I have exhorted him that, forasmuch as he hath now, as it seemeth, proposed all his points, and seen his holiness's judgment therein, he content himself for the present, and shew himself not disliking that he and we, at least, may live here friendly together, as both of us united with you: and to this effect " do " I exhort also others to deal with him, as from themselves, and, if it " be possible, to gain him ;—though we find him to be of a very stiff " nature, founded in a good opinion of himself.

" He hath been over liberal in talk here to divers, especially about " his opinion, that it is not *de fide quòd papa ullam habeat authoritatem* " *deponendi principes;* and he hath defended the same before divers, " and also told how Mr. Blackwell and he jarred about that point; " Mr. Blackwell requiring that he should have held the contrary,

" in that book he writ, that it was *de fide*, but that he denied to do it, " as he saith ; which here soundeth not well. And, moreover, *I hear* " that *some* have noted, and write hither of that book, that, in the very " first chapter thereof, the question being between Bell and him of this " very matter, and Bell bringing forth two several testimonies out of " the secular priests' books, denying flatly all authority in the pope to " depose, &c., *he is said* to have answered nothing to it at all ; nor so " much as to say that they erred therein ; which dissimulation seemeth " to *some* to be a certain concession : to which effect *some* also write " that Mr. Blackwell, for his excuse, doth still allege, among other " grounds, the authority of this book, and of the writer : and *I hear* " *say* that there is *one* in this city, that affirmeth to have heard it from " Mr. Blackwell's own mouth. But the worst is, that he is *said* " to have spoken it here, and defended it before *divers*, as also that other " opinion of his, that there is no true catholic church now in England, " so long as they have no bishops ; which as, in rigour of speech, " cannot be defended, so seemeth it to involve a great reprehension of " the see apostolic, so long to have suffered the want of bishops in " England."

I having heard then of these and other points, founded principally on his own speeches, I did confidently, in our last conference, in the sweetest manner I could devise, advertise him either of all, or the chief points; hoping that he will make use thereof to his commodity; which I much desire, as well for his as for your sake, " in whose name " all is taken to be done, whatsoever he doth or saith." * * *

" And whereas you marvel that I write, that I did easily foresee " that you would find contradiction of some, in this affair, my meaning " was, that divers, both priests and others, considering this mission of " such an agent, and the points that he was to propose, and that in the " name, as here he said, of the English clergy, and that he came in the " name and virtue of the head, would not easily concur therein, " except their consents had been asked before. And now I see it to " be otherwise. And albeit open breaches, I hope, will not follow, " yet secret mistrustings they want not, as though you were wholly " carried away with the other party. But we, your friends, do miti- " gate that, and answer for you," where occasion is offered, that what you do, you do to good purpose, and cannot do well otherwise, as matters stand, and that your mind and intention is sincere ;—and so really we persuade ourselves to be the very truth. And with this I take my leave, with all affection, this 15th of September, 1609.

Yours ever, &c.

R. P.

*** *Persons to Birkhead, Sep.* 16, 1609. *A public letter.*

[Copy in Dodd's MS. of his History, iii. 148.]

Right reverend, and my dear good Sir,

Since my last writing unto you, upon the twenty-second of August[1], I have received two of yours, of the twentieth of June and of the sixth of July, whereby I do well see the continuance of your great desire of making true peace between all parties. And truly, sir, I do persuade myself that, in all of us here, no less than in our friends, there remaineth the self same good wish and desire; and, according to that, you know *how willing we were to have your agent come hither;* and both he and others can testify how lovingly and kindly we received both him and his companion, and offered our friendly concurrence with them in all their affairs, if they would proceed lovingly, according to your intention and direction set down plainly, as to us it seemeth, in your letters and instructions. But the contrary manner of diffident dealing with us and all friends here, and this as well in the very first speech to his holiness, as in all the prosecution of their other articles, whereof I have now written to you before, may probably be thought to have cast such suspicion and jealousy into his holiness's head and the cardinals of the inquisition, that the old contentions of the appellants would be râised again, and renewed by this means, as they were unwilling to hear any farther of any thing that might seem to tend to innovation; and therefore, in their last answer, upon this day fortnight, in full congregation before his holiness, I understand they decreed, in the last matter moved about the moderating of missions, sending scholars out of England, and some other like points, "*Nihil est innovandum*[2]," which answer how far it may stretch itself to any

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[1] [He refers to the *last occasion on which he had despatched letters to Birkhead.* The present letter, and that of the preceding day would go by the same conveyance, and be received at the same time.—*T.*]

[2] [There can be little doubt that this was untrue. On the twenty-sixth of September, only ten days after the date of the present letter, Smith wrote to Birkhead, without ever mentioning the decree here alluded to. On the third, the sixteenth, and the twenty-eighth of October, he wrote again, again on the seventh of November and fifth of December, and still never once alluded to such a decision (See Birkhead's letters to Smith, October 11, 1609, and January 8, 1610, post, with another of January 18, original in my possession): while Fitzherbert and Persons, addressing the same person, on the sixth of March, in the following year, distinctly acknowledge that the sentence of the pope had only just then been pronounced (see their letters, post). Blanchetti's letter, in fact, communicating the determination to the archpriest, was not dated until the twenty-sixth of February, 1610 (MS. in my possession): and it is scarcely therefore too much to suppose that, in this, as in a former instance with which the reader is acquainted, Persons was announcing, not a judgment which had already been passed, but a decision which he was seeking to procure.—*T.*]

thing that may be proposed hereafter, savouring of innovation, I know not: but glad I would have been that things might so have been carried, as none or little opposition might have been discovered amongst us. I have proceeded, and so I think hath Mr. Swinnerton, as you wished, permitting your agent to propose what articles he would, together with his reasons and arguments for the same, leaving the judgment to his holiness and the congregation. * * Upon which point, Mr. Dr. Smith and I have dealt and conferred friendly, since his holiness's last answer of resolution given; and I have entreated him *that we might live friendly together here*, without shew of setting up altar against altar, which is greatly misliked here of all men, especially of our superiors. And truly, sir, methinketh that you having done so much as you have, for procuring of peace and contentment, both by making so many of your said brethren assistants, and by sending hither your agent; and we having yielded to the first point demanded, of excluding us from your conference and confidence in consultation, &c., and being most willing also to further, *what we may*[1], the erecting of some house demanded for writers, &c., that this might suffice for the present, for renewing and setting up friendship between us, and that we might see the same by some good offices, or cessation, at leastwise, of evil speech from your said brethren, whereby in time good affections would grow and be confirmed, jealousy and suspicions would be cut off, and true real friendship out of charity would be established. This I propose unto you from the very desire of my heart, if it may take place; if not, we must have patience, and bear it as a special heavy cross, laid upon us for the sins of our country and our own, which Almighty God, of his mercy, forgive, and give us his true spirit of charity! And with this I will take my leave of you, at present, the 16th of September, 1609.

Yours for ever,

R. P.

*** *Fitzherbert to Birkhead, Sep.* 19, 1609.

[Copy in Dodd's MS. of his History, iii. 175.]

Right Reverend Sir,

* * "Whereas you insinuate in yours to me, and declare it "more plainly to your old friend, that the motion mentioned in "the articles of your instructions to master Dr. Smith, concerning

[1] [This qualification will be explained, if the reader will turn to what I have said in a preceding volume of this history, iv. 135; and 136, note 1.—*T.*]

" readers to be obtained for Douay, tendeth further than hitherto hath " been imagined by any here, to wit, to the deposition of the presi- " dent and other designments, I cannot but say that I am very sorry to " see such intentions in any of our brethren, and specially in yourself," to attempt a thing that, I verily think, will be much displeasing to his holiness and the cardinals of the inquisition, and, I assure myself, will not be feasible; for that no such matter can be proved against the president as may seem to deserve so great a disgrace, howsoever it might be thought that he hath committed wrong. * * * " For " my part, all I will do therein, or in any matter that shall be moved " by you against him, shall be no other but to stand indifferent " betwixt you, being procurator to you both, as I am: and, therefore, " except I be demanded to speak my conscience, I mean not to meddle " therein; though I must needs say that, if it were not against " yourself, I could not but oppose myself directly, as his procurator, " against any man that should touch his credit in this court, until " I should see more cause than hitherto I have done. And thus " much for this point; leaving it to your wisdom to consider.

" Whereas you signify, in your postscript, that your brethren there " hold me to be a jesuit, or disposed thereto (wherein you wish me " also to give Mr. Dr. Smith satisfaction), I assure you I am heartily " glad that you hold me for so honest a man; and do not see any " reason why I should seek to purge myself of a matter of that quality"; especially seeing that all the world, that knoweth me here, seeth my manner of life far different from a religious profession, living, as I do, both out of a cloister and habit of religion: and, as for my disposition, " surely they go very near me, that will examine my secret inclina- " nations, which are betwixt God and me. But, howsoever it is, " I shall be very content that Mr. Doctor here, or any of our brethren " with you, shall take that exception against me"; though, nevertheless, if any do, I must put them to their proofs. * * *

" I perceive Mr. Doctor is somewhat disgusted with the evil success " of his business here; though, truly, he may rather ascribe it to the " nature and quality of the matters propounded, than to any thing else, " and especially to any man's labour against him"; for his propositions being considered by so many cardinals, and so well explicated by himself, both by word and writing, he cannot justly fear partiality, or that his business is not well understood; and therefore he hath reason to be satisfied, in my opinion. " I am still ready to do him all service, " except in such of his propositions as I cannot, in conscience, approve, " wherein I leave him to his own opinion; for that no advice of

" mine or your old friend's (*Persons*) can, any thing at all, prevail with " him." * * And so, for this time, I take my leave, &c. From my old residence, the 19th of September, 1609.

Yours, as my own,

T. SWINNERTON.

*** *Birkhead to Smith, removing Fitzherbert from the agency, Octob.* 3, 1609.

[Original in my possession.]

My very good Sir,

Whereas, before I had notice of his holiness's absolute pleasure, concerning my dealing with the fathers of the society, I directed and appointed you (supposing it my best way at that time) to consult with my old friend (*Persons*) and Mr. Thomas Fitzherbert, whom I then joined with you in such things as we here should think meet to be proposed there; and now, considering his said holiness's full intention to be for maintenance of peace, and that I cannot satisfy his expectation, nor preserve the said peace, unless my good friend, Mr. Thomas Fitzherbert, be also removed from meddling with you in our affairs, I therefore am forced to impose upon your shoulders all the whole burden of my agency. Wherefore, I would have you to signify unto my said friend, Mr. Thomas Fitzherbert, in my name, that, at the first, because I took it to be a thing not inconvenient for me, to consult with the said fathers of the society, in matters belonging to my office and charge, and withal finding all things in tumult and hurlyburly, not only my clergy being at difference amongst themselves, but also at some variance between many of them and some of the fathers of the society, having been invited at the first by father Persons to entreat his pains, when I had no man else there to supply that room, I thought it meet to use him now also, as joined with you, my agent, to propose our affairs to the see apostolic. But now, through the assistance of Almighty God, having brought my own company to a firm peace with me and amongst themselves, and not only ready to forget all disgusts past, but also to join in all amity with them of the society, so they intermeddle not with our government, I shall hereafter have no such cause to trouble him as heretofore; but am rather compelled to the contrary, by the determination of his holiness: and therefore, with many thanks for his former labours (being otherwise not able to recompense him), I do now ease him of the burden, namely, from dealing any further in our business with you, my agent; being content to use you only, as sole dealer for me in all causes touching our government, as well with his holiness, as also with our protectors;—

hoping that thereupon you will diminish no true amity with my said friend, and that, of yourself, by the experience you have already gotten, you will be able both to inform his holiness truly, in such points as I shall commit to your charge, and also to procure, so much as lieth in you, what shall be thought necessary for the better performance of this my office. Thus much, I pray you, declare to Mr. Thomas Fitzherbert, and to our protectors also, if you think it requisite. And so, for this time, I bid you very heartily farewell, this 3d of October, 1609.

Your assured
GEORGE SALVIN. (*Birkhead*).

*** *Birkhead to Smith, October* 11, 1609.

[Original in my possession.]

My good Sir,

I am forced, at this present, briefly to answer both your letters, the one of the twenty-sixth of September, the other of the third of October. * * Your courage pleaseth me well, and I beseech you hold it as long as you can. You bid me take heed what I write; and so I do: but I must advise you to take heed what you do speak, especially *de potestate deponendi.* You will not believe what speeches come here of your strange and resolute opinion about that matter. You know how precise they be there; wherefore, I pray you, defend no opinions, but such as you easily see will be very well taken: otherwise advantage will be taken against you, ere you be awares, to the great prejudice of us all.

For me to appoint or nominate one for Douay, I fear is to small purpose; for of late Dr. Worthington hath written me a long letter, and thereby I perceive that they have already settled that college after their own desire, though somewhat better than before. Mr. Singleton is vice-president, and Mr. Dr. Norton the prefect of the studies; and this, he saith, is done by the protector's and vice-protector's authority[1]. To what purpose, then, doth Mr. Blanchetti will me to nominate one or two, when the matter is done already?—I well perceive we must have patience, and do as we may. Albeit we be now crossed, yet shall we obtain victory in the end. My old friend (*Persons*) is ex-

[1] [This was the arrangement as originally designed by its author, Persons. But that jesuit afterwards changed his mind, and directed Worthington to install Norton as vice-president, and Singleton as prefect of the studies. This was done. Worthington's own statement, from the Visitation of Douay College, anno 1612, has been given elsewhere. See page 42, note, ante.—*T.*]

ceeding jealous, but I trust he will be wiser ere he have done. Mistaking of matters is our great hindrance. A strange thing to me it is, that *moderation* of the mission should be interpreted an *undoing* of the mission! I would my old friend were here amongst us, to hear the cries that we do hear; and then, I trust, he would believe them better than those that write the contrary. You have stoutly laboured in my suits; but they have prevented you, and now have gathered together such men as please their humour, though unpleasing to us: but I trust our patience for a time will do us no harm. * * *

My old friend writeth to me that the lords of the inquisition have resolved *nihil innovandum esse*, in the things that I have proposed. *I marvel I hear not so much from you.* If it be so, I trust you will conform yourself, and expect for the grant of some other suit hereafter, which I take to be the best way. * *

I thank you for willing us to keep peace, both in heart and outwardly. My old friend shall see thereby that we can learn to temper ourselves. I would be glad to hear from you again, before I meddle with Douay. If the vice-protector have placed those aforesaid in that college, it is too late for us to remove them as yet. *They mean not to have it themselves, but to place such men there as shall please their humours.* If this be not opposition, animosity, and altar against altar, I know not what may be so termed. Methinks my old friend forgetteth himself, oppressed with the passion of overmuch suspicion and jealousy. * *

Once again, let me entreat you to take heed of your opinion aforesaid. They lie in watch for you, as the cat doth for the mouse; and I shall not be able to help it, for you know that my belief is contrary. *Verbum sapienti sat.* You may easily think that I write not this but upon sure ground. Get as many friends, I pray you, as you can; for, it seemeth, our adversaries are too strong. God, of his mercy, help us! Plain and sincere dealing will bear no sway. * * I leave you to Almighty God his holy protection, this 11th of October, 1609.

Yours ever,

GEORGE SALVIN. (*Birkhead.*)

*** *Birkhead to Persons, October* 19, 1609.

[Original in my possession.]

Most reverend and loving Father,

Now, after long silence, are come to my hands three letters written with your own hand, one of the fourth of July, another of the twenty-fifth of the same month, and the third likewise of the fourth of

July, but directed *to myself alone;* all which I received together, two months after they arrived here, by reason of my absence when they came.

I cannot but think myself much beholden unto you for so many offices of kindness shewed unto my agent and his companion, in delivering them my letters, in proceeding so kindly with them, in your most friendly and charitable entertainment of them; all which courtesies my agent hath, in his letters, related very often unto me, as also the manner of your proceeding in our business, to the same effect that you have now written it yourself. Would to God we had an end of all misconceived suspicions, and that, as this late order of his holiness, in binding me not to deal with any of yours in our government, hath much quieted the greatest part of those that belong to me, and hath made so great a peace amongst ourselves as hath not been seen, these many years, so also it may be cause to work the like effect between us and you; that each of us, in our own squadrons, may jointly and unitedly accinct ourselves *ad prœliandum hoc bellum Domini.*

How many reasons soever you have had to persuade you that it could not be my desire to be bound, yet, for all that, seeing his holiness aimeth at a general peace amongst us (wherein, in my conscience, I think he aimeth right), howsoever my affection might otherwise draw me, I thought it my best to follow the direction he giveth. Pardon me, I pray you: I love to take the securest way; and wherein I may deal and use your advice, I shall do it, with as sincere a respect of the reverence I bear to you all, as heretofore I have done. * *

For the matter of the proceeding of doctors, or any other of the points which I have proposed, his holiness's sentence will pacify us all: in the proposing of which I make no doubt but that men may be of divers opinions, without breach of charity, neither can I force any men to conform themselves to mine: but yet, I trust, no man can be justly offended, if I make choice of such an agent, as shall propose our suits, according to my direction. I believe you in that you affirm you never crossed my agent with any of the cardinals: it is enough to me that you say it; yet others, upon signs, will not stick sometimes to utter their surmises. Dr. Smith hath hitherto made no great shew of discontentment to me. I am as desirous as any man to use all confidence and familiarity, in dealing with you in our affairs, so far as in reason and conscience I may, and may stand with the order which his holiness hath lately decreed about our government, both with me and my successors also. Only, I marvel that you insinuate that the things,

which I have proposed, have *speciem oppositionis et animositatis.* Believe me, I wrote the points, and protest, in my conscience, that, in the time I wrote them, I respected peace, and not opposition; all humble obedience to his holiness, and not animosity. Experience, I grant, may teach us all more wit; but hitherto, I assure you, I cannot as yet conceive how the foresaid points should not be equally grateful to all. My comfort resteth in God, and in the determination of his holiness.

Now to that which you write *mihi soli*, I marvel the doctor did not accept of your effectual offer, to concur about a memorial for my pension. It were not amiss for me to have it, seeing that so little of the common cometh to my hands; and many do daily cry out to me for help, yea, for annual pensions, to the better maintenance of their estate, in the places where they do reside.

Though Mr. Doctor speak favourably, in respect of the punishment which the clinkers deserve to have inflicted upon them, yet I assure myself he favoureth them nothing in their cause. I have long expected somewhat from thence against them. If it were but a declaration of the loss of their faculties, I suppose it would do good. * * *

As for that you say of Dr. Smith's conceit of my sickness, and of his shallow reasons, about their misliking of the present state of things, I must crave pardon if I make you no answer, until I know what he can say for himself. Good father, I beseech you not to commit such things in secret to me any more. He is now my agent, and I repose a confidence and trust in his fidelity, and therefore will be loath to condemn him as guilty, unless I could see him convicted of falsity. In my poor opinion (under correction I speak it), if you had but condescended to join with me in the things I have proposed, I durst have promised you all love and peace on our parts: but sith it falleth out otherwise, we must have patience, and content ourselves, till God send us the means to obtain your favours; which, for my own part, I protest, is so much desired, that, to avoid the harm which may ensue, I would most willingly crave it on my knees. I never doubted to get the good wills of my own; but all my drift hath been to settle a peace between you and them, and, upon that conceit, proposed such things as I thought, in my conscience, you might easily yield unto, without any prejudice, either to yourselves whom they do nothing concern, or to the common good of our secular clergy, which we tender as much as ourselves. Howbeit, notwithstanding the difficulties I find, I will leave no stone unturned, to keep mine in the best order I can towards all your company: and, for the better performance thereof, I shall ever

offer unto God the best prayers I can[1]. * * * Thus craving pardon for this tedious letter, I commit you to his holy protection, and myself to your devout prayers, this 19th of October, 1609.

Yours ever,

GEORGE SALVIN. (*Birkhead*).

*** *Persons to Birkhead, October* 30, 1609.

[Copy in Dodd's MS. of his History, iii. 155.]

Most Reverend Sir,

Albeit I perceive, by your late letter written to Mr. Fitzherbert, and otherwise, that you esteem yourself bound to have less intelligence with me and mine than heretofore, in respect of the late order procured from hence by your agent, yet do not I think that I am any way restrained from writing or dealing with you thereby; nor you any otherwise with me or mine than in cases of government of your subjects: and if his holiness should understand that that, which was ordained for encrease of friendship, should be used to any diminishing thereof, I doubt not but he would say that his meaning were abused; and therefore I hope it shall not fall out between us. * *.

We have prayed also sundry times your agent that he would not place the hope of peace and friendship only in granting to whatever is by him proposed; but to be content with what in conscience men may yield unto. He maketh himself a stranger to us, and is thought abroad to be opposite to us of this college and the society; which cannot but cause marvel to them that have known our proceedings towards you. But God, I hope, will remedy all in time, — who ever preserve you. This 30th of October, 1609.

Yours ever,

R. P.

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[1] [Ten days earlier, writing to Smith, he thus expresses himself on the same subject,—"I easily believe that my old friend liketh nothing of that which I have proposed; for yet I never received any sign from him thereof. But he may do as he list. For my part, I still remain of opinion that, if he had concurred with me in such indifferent points, he might have gotten much love amongst us: but now he taketh the direct way for new combustions, unless we use the foresaid patience you speak of. Have not I often told you that it would be objected, it was the faction of a few that pressed me to send? But seeing it is begun, and not disliked by his holiness, I mean to proceed without any terms of exasperation, yea, not so much as to take notice of their opposite dealing, unless you think it requisite. * * I much marvel that your reasons will not suffice, when as I am ready to ratify them. But it seemeth they mean to weary me out." Octob. 9, 1609. Original in my possession.—*T.*]

*** *Fitzherbert to Birkhead, October* 31, 1609.

[Copy in Dodd's MS. of his History, iii. 176.]

Right Reverend Sir,

* * Whereas you write that "rumours have been spread "there amongst our brethren, that I and your old friend have crossed "Dr. Smith in his petitions," and that you have written unto me somewhat roundly about the same, I have not received any such letters of yours, neither have deserved any such round writing as you mention; for that I have punctually observed both what you have willed me, and I also promised in my letters to you, and by word of mouth to Dr. Smith, which was, not to hinder his negotiation here in any of his propositions, though never so much misliked by me; no, "nor so much as to declare my opinion unto his holiness or the cardi- "nals, except I were commanded to do it"; which, I say, I have truly observed. * *

I doubt not but you have understood ere this what success he hath had, in all which he hath hitherto propounded: "and though it were "true, which you say is there reported, and he, as it seemeth, sup- "poseth, I mean, that any man had crossed him, yet he should have "no reason to doubt of the equity of his holiness's judgment, and of "the cardinals of the inquisition." * * Besides, much is, in this and such like cases, to be ascribed to the will of God, and particular direction of the Holy Ghost; in which respect, "I cannot but hope, "not only that the best resolution is taken, I mean most convenient "for our church, and most for God's glory, but also that you, of your "wisdom, will so conceive, and rest satisfied therewith, howsoever Mr. "Doctor or any man else may incite you to the contrary." And this I am bold to say unto you, in respect of the confidence you repose in me, as also in discharge of my conscience; assuring you nevertheless, as I have done heretofore, that, "notwithstanding any diversity or "contrariety of opinion or judgment, which I may have in any of Mr. "Doctor's propositions, I will, in respect of you, so long as I am your "agent, forbear to signify the same to his holiness, or the cardinals, "except I be commanded to declare it, in such sort that I may think "myself bound thereto in conscience; in which case, I am sure, neither "you nor any man else would wish me to conceal it." * * * From Rome, this last of October, 1609.

Yours as my own,

T. Fitzherbert.

"I hope that your wisdom will provide that his holiness's interpre- "tation of the late brief shall not produce contrary effect to his mean-

" ing,—I mean, greater separation and division than before; as it " must needs do, if you may not hold with the fathers so much as " a friendly correspondence by letters, which shall not concern your " government."

*** *Fitzherbert to Birkhead, Nov.* 21, 1609.

[Copy in Dodd's MS. of his History, iii. 178.]

Right Reverend and most dear Sir,

Since my last unto you, which was of the last of October, I have received another of yours of the twenty-fourth of July, which, I think, was one of the two letters mentioned in that of August, wherein you say you had written somewhat roundly unto me; whereunto I shall not need to say much in this, for that I answered the same largely in my last: only I will add, that, whereas you say in your postscript that, if I be not of the society, as many do think I am, you must enjoin me to concur with Mr. Dr. Smith, in such things as you and your brethren there shall think convenient; and if I be of the society, then I am not fit to be used of yours,—I answer to the first part of your proposition (for of the latter I have written heretofore), that, if you will needs enjoin me to concur with Mr. Dr. Smith, as you say you must, I must then entreat you that those things, which you shall recommend unto him to be propounded, may be such as I may in conscience think convenient; for, otherwise, I have already a greater injunction laid upon me than any man can dispense with; and I think yourself will not wish me to do against my conscience, to satisfy you or any man else: neither can I persuade myself that you, and those with whom you consult, have any such infallibility in your resolutions, that I am bound to conform my conscience thereto, when I see reason to the contrary. And that I may have reason sometimes, yea, and have had already, to dissent from Mr. Dr. Smith's opinion and your resolutions there, it appeareth sufficiently by the late resolution of his holiness and of the whole congregation of the inquisition, in those propositions which they have rejected, wherein I refused to concur with Mr. Doctor. * * *

But, good sir, if I may be so bold, as an old friend, to speak my mind plainly unto you, I should rather have expected that, considering as well my longer experience in this court, and in matters of negotiation, than Mr. Doctor's, as also my sincere good will and affection to you, it might have seemed good unto you to enjoin Mr. Doctor to follow, at least sometimes, my opinion, when I should judge your resolutions not likely to be grateful to this court, which neither

you there (if I may be so bold to say it) nor yet Mr. Doctor here, for aught I see, may be like to know so well as I, by reason of the eight or nine years' experience which I have already had here. Besides that, speaking still under your correction, methinks I might claim some little privilege in this kind, for that I am Mr. Doctor's ancient in this our agency; hoping that my service is neither less grateful unto you, nor of less merit than his, because mine was first offered you, of my own good will, as to a friend; his either required or commanded by you as his superior: for though, in some cases, where either commodity or honour is sought, proffered service is little to be respected, yet, in my case, where I can expect neither of both, I have good cause to think it worthy of acceptance. For, truly, what I gain by it yourself may easily imagine: and, if any man think that I take myself to be any way honoured by it, he is greatly deceived; for, although I doubt not but that far better men of our nation than myself might be well contented, and think themselves honoured with the title of your agent, yet, for my part, having served the king catholic, so many years as I have done, in honourable commissions and employments, and having still the honour to be his servant, as I am, and it pleaseth him to take me, I cannot think it any reputation to me to be agent to any subject whatsoever: in which respect, I must needs say, I flatly refused to be agent to your predecessor, when I was earnestly entreated thereto by his two procurators, Mr. Parker (whose soul God pardon) and Mr. Archer; which I say, to the end you may conceive rightly of the motives of my offered service, which were no other but mere good will and old friendship to you, and respect to our common cause, which I prefer before all other considerations whatsoever. And this being so (whereof I trust you have no cause to doubt), I hope your wisdom will consider that these reasons, which first moved me, without all respect of interest, to offer you my labours and service, will also move and bind me to serve you with all sincerity of love and affection, and due care of our common good, as far as my poor wit and judgment can extend. Thus much for this point.

As touching Dr. Worthington, * * it seemeth strange to me that any with you can persuade you or themselves, that it will be an easy matter to expel him; seeing there is nothing objected against him, which, if it were true, could deserve half such a rigorous chastisement; and, being answered by him, will prove to be of small moment, and may rather discover passion in his adversaries, than gain them credit, or work the effect they desire, as I make no doubt but

you will see by experience, if you determine to proceed to the trial[1]. * * * He hath now settled his college reasonably well, upon the supply of money sent him from Spain; and although he have not those learned men about him, which some with you may have desired, yet he hath such as are, no doubt, sufficient, and, being well known to his holiness and the cardinals, will be able the better to answer for him and themselves, in case he or they be impugned. * * * From my old residence, the 21st of November, 1609.

Yours as my own,

T. Fitzherbert.

*** *Birkhead to Persons, January* 8, 1610.

[Copy in Dodd's MS. of his History, ii. 272.]

Most Reverend, and my very good Father,

Whereas, in your last of the thirtieth of October, you wrote that you nor any of yours are not any way restrained from writing or dealing with me, otherwise than in cases of the government of my subjects, I must needs confess the same; and meant nothing else in that message, which I willed Mr. Fitzherbert to deliver unto you, as by me at that time apprehended to be very fit: which I did, not to the diminishing of encrease of friendship amongst us, and so to abuse his holiness's meaning, as you seem to object, but rather for the preservation of the same, which was and is my whole intent and desire. Wherefore, to your doubt herein I answer nothing but—"*operibus credite.*"

Even at that time, *I also wrote to yourself,* and expounded my

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[1] [As an illustration of Fitzherbert's dishonesty on this subject, I may here remark that, among the charges sent to Rome against Worthington, one was, that he had refused to be bound by the regulations, laid down for the adjustment of the differences between the benedictines and the jesuits (see this history, iv. 89, note), and, with a view to prevent accessions to the ranks of the former, had actually sworn his scholars to enter no religious order but that of the latter. This charge was forwarded to Rome by the nuncio himself; and Fitzherbert, who wrote to apprise Worthington of what was passing, thus prompted the answer, which it would be advisable to return,—"I make account," says he, "that you have already yielded some reason to the nuncio, why you did not account yourself comprehended in the rules made for the fathers and the benedictines; *but I would wish* that, in your letters to the cardinal, *you signified that the reason was, because you are not of either of the religious, nor your college under the government of either of them; and that, therefore, it seemed to you that those rules did not concern you*, though, nevertheless, *you meant to observe them exactly, on your part, as you have done ever since*"! Fitzherbert to Worthington, Aug, 22, 1609, Copy in Dodd's MS. of his history, iii. 173. The whole of this letter will hereafter be printed in the Life of Worthington. —*T.*]

meaning to be no otherwise, but that, notwithstanding I were barred from having correspondence with you in matters of my government, *yet I would be always ready to give you my friendly correspondence,* and to do you any service that lieth in me to perform. Besides, you have written no letter unto me, since that time, *but that I have answered the same, even in such things concerning my government, as, perhaps, might have given to some occasion of complaint against me*[1].

The contradiction, which you have made against my agent, I leave to your conscience; hoping that one day you will more candidly interpret my meaning, and not judge my articles to be articles of opposition or animosity, as one of yours there hath said, who never knew me in his life to proceed of a wicked and diabolical spirit. Neither his holiness, nor our protectors, nor any cardinal that I can hear of, hath as yet rebuked me for the same, or censured it to be diabolical, or to proceed of animosity. Is this the way, think you, to preserve any quietness and peace amongst us? If my agent, by any misdemeanour, do behave himself not well in that place, you may complain to those that can correct him; and, when they give me notice that they like not of his behaviour, you shall see that I shall be most ready to do with him, as it shall please their highnesses to command and direct me. God knows how glad myself, and others also for my sake, would be of your friendship; and a number can bear witness for my labours therein: which course, by God's grace, I mean to hold, with full hope, in the end, by the same grace, to obtain my desire, which might the sooner be compassed, if we would once learn not to love in word or in tongue, but in deed and in truth. Will your reverence have my poor opinion, what may help much in this matter of uniting us in peace?—Let your company and friends that be there shew, in their countenances, as much alacrity for the order which his holiness hath taken concerning our government, as I and mine have done, and I would not doubt that it would be a great provocation to confidence, peace, and concord amongst us.

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[1] [And yet, with the letter here alluded to, and the facts here stated, before him, Persons had not only complained to Birkhead himself on this subject, but had also presented a memorial to the pope, containing the very same charge, of which Birkhead here so crushingly disposes. Having mentioned the decision relative to the breve of Clement, and the consequent obligation of the archpriest to refrain from all official intercourse with the fathers, he says,—"Essi (the agents, Smith and More) presero da qui occasione di ritirarsi d' ogni commercio et buona corrispondenza delli padri della compagna et amici loro, tanto in Inghilterra, quanto fuora. * * *Scrisse anche l' arciprete à Tomaso Fitzherberto, che non poteva gia scrivere à me, come prima.*" Persons's Memorial to Paul V. in 1609. MS. in my possession.—*T.*]

What I have written, let it be to yourself, and between us two alone. God knows my heart, and how much I desire that all impediments may be removed. For my own part, I am resolved, and hope to perform it, to use all yours as courteously as I can; and so, I trust, they will do me. * * * Good father, I never as yet have complained of you nor yours, but to yourself. I trust you will so prudently handle all matters, as that hereafter I shall never have any occasion to do it. If you object against my agent things that are true, I cannot but take it in good part: but if you seek to oppress him by false informations, I must bend myself, in all due respect to your gravity and years, to defend him as well as I can, if he give me no cause to the contrary. This 8th of January, 1610.

Yours ever,

GEORGE SALVIN. (*Birkhead*).

*** *Birkhead to Smith, January* 8, 1610.

[Extract from the Original, in my possession.]

My good Sir,

I have already written so many times unto you, that I have nothing now to write in answer to yours of the sixteenth of October and the seventh of November, but what I have already said: only, I perceive that you are still vexed with my old friend (*Persons*), and I can give you no better advice than I do to myself, that is, to have patience. I told you, before you departed hence, that you should be sure to find contradiction, and now I see my prophecy truly effected. You would wonder to see how smoothly and calmly they write to me; and yet, by their letters, I well perceive they pay us home. I pray you be careful to give them no offence. My old friend writeth that you come not to the college, that you bend yourself both against it and the society. This, I trust, you will not practise, howsoever you be moved in particular against him and Swinnerton. They both have written to me, of the last of October, seven days before yours of the seventh of November, and they tell me plainly (*whereof you make no mention*) that matters are concluded, in the congregation of the inquisition, against my petitions; and therefore Mr. Swinnerton exhorteth, in many words, to patience, and to rest quiet in their determination, which I am most willing to do, and so, I hope, you also are affected. And, when I hear from our vice-protector or yourself, that the matter is so determined, you shall understand that I shall rest contented, and expect some event of better success, when we prefer our suit again.

My old friend taketh it unkindly at me, that I sent him word that,

by reason of his holiness's late order, I could not write so often unto him, which he interpreteth to be a breach of friendship, contrary to his holiness's intention; for that his holiness willed me only not to deal with them in matters of government: * * * and yet, for all this, he still writeth to me of our matters, and maketh my heart to throb, in my answers unto him. But he is free, and I am tied; for he saith that, albeit we are forbidden to deal with them, yet are not they forbidden to deal with us. This is a point well to be advised upon with your best friend there. * * * And thus, I commend you to our Lord, and myself to your prayers, this 8th of January, 1610.

Your assured friend,

GEORGE SALVIN. (*Birkhead*).

*** *Birkhead to the Protector, Feb.* 23, 1610.

[Original in my possession.]

Illustrissime et reverendissime Domine,

Perlibenter sanè, ne aliquam illustrissimæ dominationi vestræ molestiam adferre videar, a scribendo abstinuissem. At cum permulta quotidie accidunt, quæ nostrum progressum facilè impedire possint, nisi tempore opportuno aliquod remedium adhibeatur, perquam necessarium est ut in præsenti opem vestram ad difficultates nostras superandas sæpiùs implorem. Noverit ergo illustrissima dominatio vestra, plurima esse quæ pacem nostram turbare poterint. Ac imprimis hoc unum, quod, etsi mihi nondum ita innotuerit ut pro certo illud affirmem, multæ tamen rationes me movent meritò suspicari, ex parte illorum qui ægrè patres à nostro regimine exclusos esse ferunt, novum aliquod subpullulare discordiæ seminarium, quo, per malitiam cacodæmonis ab invicem disjuncti, in apertas rixas iterùm proruamus. Alia porrò difficultas est, quæ aliquamdiù hæsitantem me reddidit: nam, ex certâ quorundam relatione, ad notitiam meam pervenit, quosdam è sacerdotibus sæcularibus tàm intimè et tàm occultè reverendis illis patribus adhærere, ut, quamvis exteriùs se mihi subjici profiteantur, illis tamen secretò et interiùs obedientiam præstent, omnemque suam operam impendant. Quos tamen tantum abest ut, ob hoc, minùs diligam (modò id tempore congruo scire possem), ut totâ potiùs cordis affectione eos propterea quàm maximè vellem prosequi. Verumtamen quatenùs sub colore sæcularis habitûs hoc nituntur perficere, nobis interim nil tale suspicantibus, quando id non potest eis non esse ingratum, magnoperè vereor fratres meos vix illud diù patienter ferre posse, vel tantam, ut ipsi arbitrantur, injuriam dissimulare: æquum namque esse putamus ut nostrûm unusquisque palàm in suâ phalange bellum hoc Domini præliari contendat.

Sed ulteriùs etiam liceat mihi obsecro et aliud suggerere. Dum enim ego et assistentes accingimur ad custodiendam hanc S. D. N. utilissimam constitutionem de non consulendis præfatis patribus, quoad regimen nostrum, dici non potest quot indies in nos calumniæ devolvuntur; ac si penitùs nullam erga eos vellemus observari humanitatem, atque in iisdem ex Angliâ profligandis tota nostra intentio esset defixa: cum tamen nec id in potestate nostrâ situm sit, nec ipsi patres (quantum scire possumus) hoc nobis objiciant, aut hoc de nobis credant, aut nos unquam (conscientiâ nostrâ testimonium nobis perhibente) tale quippiam machinari aut perficere conati simus. Haud leviter etiam non possum dolere quòd, nec desiderio, nec merito, nec conatu aliquo, sed speciali mandato S. D. N. ad hoc munus vocatus, majorem adhuc non sum assecutus fidem, quàm ut mihi, res nostras proponenti ac referenti, nulla ferè detur, nisi omninò sacerdotum omnium expressum vivâ voce consensum adhibeam: quæ sanè res, durante istâ persecutione, difficillima est, et, rebus sic stantibus, ferè moraliter impossibilis.

Denique ab illustrissimâ dominatione vestrâ necessariò petendum censui, ut procurator meus, Ricardus Smitheus, vir magnæ fidei, et multæ apud nos existimationis, liberè in urbe vivat, vestro nobilissimo favore circumdatus, et ab illis calumniis, quas nonnulli in eum comminiscuntur, vestrâ authoritate munitus. Et hæc quidem propterea scribo, non quòd quempiam accusare intendam, aut ullas jam in partibus istis inter nos exerceamus simultates, sed partim quia intrinseco afficior dolore, in sinu ipso matris nostræ, ad quam pro subsidio confugimus, tantam procuratori meo inferri injuriam, imò non ipsi solùm, sed et mihi cæteroque clero Anglicano, qui jam, divinâ gratiâ adjuti, multos annos in fide verâ et orthodoxâ constantissimè perstiterunt, mortem quotidie pro illius defensione obire parati; partim quia valdè pertimesco ne ex istis radicibus novæ imposterùm ad ruinam nostram exoriantur inimicitiæ, nisi citiùs, mandato S. D. N. et vestro prudentissimo consilio, omnis dissidii ac jurgii occasio prorsùs amputetur. Vestrum cursum feliciter compleat omnipotens Deus, vosque in æternâ gloriâ sine fine constituat. Datum Londini, 23 Februarii, 1610.

Illustrissimæ Dominationis vestræ observantissimus,
GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter Indignus.

*** *The same to the Vice-Protector, Feb.* 23, 1610.

[Original in my possession.]

Illustrissime et amplissime Domine,

Retulerunt mihi non ita pridem venerabiles quidam viri, in

literis suis ab illis partibus ad me datis 30 Octobris et 29 Novembris, cuncta postulata mea (primo excepto), quæ dudùm, bonâ fide et in simplicitate cordis, propter spem pacis, per D. Ricardum Smitheum, procuratorem meum, coram sede apostolicâ proponi desiderabam (sanctæ Inquisitionis congregatione sic statuente), rejecta potiùs esse, quàm ab illis amplissimis patribus approbati : quâ tamen de re nec ab illustrissimâ dominatione vestrâ, nec à procuratore meo quicquam accepi. Sed propter hæc nova animo nihil omninò fractus aut debilitatus sum : quicquid enim in illis postulatis expetebam, id sanissimo tantæ sedis judicio subjici volebam. Unde non potui non magnoperè mirari cum audirem, propter illas postulationes, varias istic in me meumque procuratorem, virum probum, literatum, fidelem, et ab omni hæreticorum commercio abhorrentem, devolvi calumnias. Quæ certè calumniarum tela, ut aspera sunt, sic etiam, rebus omnibus jam quasi sopitis, intempestiva mihi videntur, maximèque paci conservandæ adversantia. Ego quidem, spe et expectatione quietis inductus, præfata capitula in medium producere operæ pretium duxi; majorque meorum numerus eisdem consensum præbuit; ac subitò (Christo imperante vento ac mari) illo meo qualicumque conatu facta est tranquillitas non contemnenda : eandemque sanè tam firmiter in mentibus meorum radicari cernebam, ut mecum prudentes ac viri pacifici longissimo tempore illam duraturam sperarent. At verò ex alterâ parte (proh dolor) tot conscientiæ stimuli prætensi, tot scrupuli exorti, tot impedimenta objecta, tot timores frustrà concepti, tot denique suspiciones gratis confictæ sunt, ut meritò vereri debeam ne aquæ turbulentissimæ discordiarum rursùs, me invito et contradicente, multò ferociùs quàm antea intumescant. Quid enim magis pacem nostram turbare potest, quàm ut quem ego, ex consensu multorum virorum prudentium, ad sedem apostolicam contra hæresim destinavi, uti virum modestum, discretum, et doctrinâ et verâ fide conspicuum, et cujus librum adversus impium illum apostatam, antequam hinc discederet ego totum perlegens, pro exiguâ meâ in rebus theologicis peritiâ, sanum inveni, et in nihilo fidei catholicæ Romanæ contrarium, is jam occultè apud celsitudines vestras traduceretur, et malitiosè in suspicionem nefarii cujusdam dogmatis (nullâ justâ causâ prolatâ), tùm ad infirmandam illam fidem quam ei exhibueram, tùm ad infamiam ejus maximam et nostram, à quibusdam calumniatoribus devocaretur? Alium certè hujus nostri negotii exitum optare potuissemus, propter infinita incommoda quæ hinc oriri possunt, quomodocumque fortassis justitia in hoc facto ad illud examinandum locum sibi vendicet. Quæ cum ita sint, judicet, obsecro, illustrissima dominatio vestra quàm ardua mihi injuncta sit

provincia conservandi pacem illam optatam, tàm cum venerabilibus patribus societatis, quàm inter nos ipsos, quæ mihi conservanda injungitur.

Quod autem nonnulli objiciunt, violari à me apostolicum breve Clementis, felicis memoriæ, papæ octavi, si mihi certè patefacerent in quo offenderim, ego utique illam culpam omni submissione diluerem. Sed, examinatâ conscientiâ, non memini me in eâ re deviasse, neque ullam personarum exceptionem feci, sed omnes æqualiter consulere paratus extiti, cunctos eâ quâ potui humanitate excipere desideravi, neque aliquem volentem ad me accedere unquam repuli: sed omnes quidem, tàm patronus meus quàm egomet ipse, æquâ lance invitavimus, et qui, vel ob loci intercapedinem, vel ingravescentis persecutionis periculum, commodè ad me accedere non potuerunt, eos per literas salutare, ipsisque negotia nostra significare, et omnes tàm humaniter quàm potui tractare, non cessavi: qui etiam mihi illius benevolentiæ vices ita rependerunt, ut nullam cum illis de pace inter nos stabiliendâ oppositionem invenerim. Sic tamen, quotiescumque cum illis tractarem, semper facere in animum induxi, ut quod, omnibus circumstantiis consideratis, mihi videbatur in Domino expedire, id fiere semper curaverim. Jam verò denique fateor, ex appellantibus quatuor electos esse in assistentes, non autem sex, ut nobis suggestum fuit, quorum tres mandato Clementis octavi constituti fuerunt, quartum verò ego elegi. Si autem sex, vel plures ex eis elegissem, quando, quoad antiquitatem, prudentiam, doctrinam, et modestiam, aliis nondùm electis postponendi non sunt, quis ob id in me crimen aliquod impingeret, cum nec ulla facta fuerit exceptio de appellantibus, nec quidquam eâ in re fecerim, quod non licitè et liberè, juxta formam facultatis mihi concessæ, facere potuerim?—

Et hæc quidem sunt, illustrissime domine, quæ nunc propalare necesse habui, tùm ut procurator meus, tùm ut ego ipse atque totus clerus Anglicanus ab occultis illis calumniis securiùs dormire possimus. Duo porrò humiliter ab illustrissimâ dominatione vestrâ, per viscera Christi Domini nostri, exorarem;—primò, ut ista per vos S. D. N. pleniùs innotescant; pacem enim habere cum omnibus, quantum in nobis est, revera desideramus: cui profectò sua sanctitas supremam manum facilè imponat, sublatis illis obstaculis quæ hactenùs eandem impediverunt;—quæ autem illa sint procurator meus, D. Ricardus Smitheus explicare potest:—secundò, ut, cum pauperes simus, omni subsidio destituti, nulliusque reipublicæ nisi ecclesiæ habiti cives, et sub vestrâ tantùm protectione viventes, ne, obscero, sinas nos in nostris opprobriis derelinqui, aut nimiâ despectione repleri. Cura om-

nium sacerdotum sæcularium in Angliâ, ut scitis, mihi commissa est. Si pro ipsis ergo loquor, si mediis accommodatis eos in amicitiam cum patribus societatis reducere conor, si propriam et illorum famam tueri incumbo, quis piâ mente imbutus hanc fraternitatis charitatem vitio daret? Viderint ipsi, qui, non nisi verbotenùs pacem obtendentes, ab initio meis pro concordiâ laboribus restiterunt, nova jurgiorum fomenta talibus viis clandestinè subministrantes. Neminem certè in particulari accuso. Hoc tantùm supplico obnixè, ut illustrissima dominatio vestra nostris angustiis compati velit, ut, tribulationum nostrarum pro defensione illius sanctissimæ sedis non immemor, benignè nos respiciat, opemque suam nobis ferre dignetur, ad pacem inter nos componendam: quo Deus pacis vos tandem aliquando, post hujus vitæ merita, omni gaudio in cœlis repleat. Datum Londini, 23 Februarii, 1610.

Illustrissimæ Dominationis vestræ addictissimus,
Georgius Birkhedus,
Angliæ Archipresbyter Indignus.

*** *Fitzherbert to Birkhead, March* 6, 1610.

[Copy in Dodd's MS. of his History, iii. 180.]

Right Reverend Sir,

When I wrote unto you last, which was the sixteenth of January, I did not think that I should have occasion so soon to trouble you again, as now I am forced to do, by the command of cardinal Blanchetti, our vice-protector, who hath given me this letter to send you, concerning all the propositions of your agent, Mr. Dr. Smith, being a duplicate of that, which his grace hath also sent you, at this time, by your said agent. * *

I shall not need to say any thing unto you concerning the contents thereof, for that the same will satisfy you fully; only, I cannot omit to signify unto you the hope I have, that now you will shew your wisdom and piety, not only in conforming yourself to his holiness's pleasure (as you have oft assured me you would do, when you should see his answer), but also in procuring the like conformity in your subjects; to the end we may have that peace and quiet amongst us, which his holiness greatly desireth. * * And my hope is, that Mr. Doctor, your agent, will also conform himself thereto, as he hath promised; and I doubt not but you shall sufficiently see it by his letters: so that now, not only we here, but also his holiness and the cardinals of the inquisition, do expect the consummation of this good work from you and your brethren there; which, methinks, may be the more easily granted, and the better performed by you, because there is nothing re-

quired, at their or your hands, for aught I see, but that you will seek no innovations, nor to pass the bounds of his holiness's briefs; which being observed, "I cannot see how there can be any further cause of "dissention betwixt you and the fathers, who will not, I am well as-"sured, deal with you, or with any matter pertaining to your govern-"ment": so that it now resteth in your own hands, both to make and conserve peace, &c. The 6th of February[1] (*March*), 1610.

Yours as my own,

T. SWINNERTON.

*** *Persons to Birkhead, March* 6, 1610.

[Copy in Dodd's MS. of his History, iii. 156.]

Right Reverend Sir, and my very good Friend,

* * Now it hath pleased his holiness, after long and mature deliberation, to give the answer, which, I understand, cardinal Blanchetti sendeth unto you by two ways. God grant it may work the quiet and peace between us which were necessary, and all good men desire. * * Your agent hath been here of late with me, and we have treated friendly of all matters, and renewed our old friendship;—and, *as I never to my knowledge gave him cause of alienation*, or breach from us, so was the reconciliation easy, and shall be continued of my part with all true affection towards you[2]. * * This 6th of March, 1610.

Your loving old friend,

R. P.

*** *Persons to Birkhead, March* 20, 1610.

[Copy in Dodd's MS. of his History, iii. 156.]

Most Reverend Sir,

I have been very glad, by yours of the ninth (*eighth*) of January, to understand of your good health; * * though we cannot be but very sorry to understand that you are so wrongfully informed, in many matters, as you shew to be; and so much the more, for that,

[1] [This date is evidently a mistake: for Blanchetti's letter, which was enclosed in the present one, was not dated until the *twenty-sixth* of February (copy in my possession). From one of Birkhead's letters to Smith (May 4, 1610), it appears that the error is in the *month;* and that the present communication was written on the same day as the following one from Persons,—*March* 6. —*T.*]

[2] [This reconciliation was the consequence of a special request, made by the pope himself to Smith,—"I was content to send my letter now by the way of my old friend, for more encrease of friendship between you and him; which I like very well, and am glad you have already made it, and so much the more, *as his holiness hath vouchsafed to crave it at your hands.*" Birkhead to Smith, April 23, 1610, Original in my possession.—*T.*]

though we see the great many inconveniences thereof, both to you and us, yet we do not see any easy way of remedy: for as, by seeing through a glass, the colour must needs appear such as the glass hath in it, and the water must needs taste of the scents wherewith the channel is imbued, by which it passeth, so you taking your informations from one (*Smith*) that sheweth himself preoccupated with humours quite opposite unto all true peace and confidence between us, you can hardly avoid the receiving of such impressions as he layeth upon you, which, I fear me, you will see when it is too late to remedy. It was both our and your evil hap, when you lighted upon such a mediator, who sheweth himself so passionate and captious, as, even in private talk, he will often mistake a man's words, so as presently he is bound to justify himself; and much more, afterwards, will misreport or misconstrue them: which I am sorry to be forced to tell you; but this [is] the truth, that hath passed with myself:—others I have heard complain of the same, but that I leave to them.

I hope you persuade yourself that I know, in part at least, what a great sin it is to misreport any man, or hurt his fame wrongfully; and the interest I may have to seek your satisfaction is not such, as I would, in this my old age, endamage my conscience for the same: yet do I assure you, in the word of a priest and religious man, that some things, which you repeat, be very untruly informed unto you. For, first, *I never said in my life that any articles of yours, or as they came from you, were of opposition, or animosity*, but always defended your pious meaning, though your agent's *manner* of proposing and urging some of them might savour of opposition and animosity, not being capable to follow any counsel therein. And this I remember that once or twice I told him; and he presently, as his fashion was, would lay all upon you, and say it was by your order, and that, by this, I noted you of opposition and animosity. I denied the same, as before hath been said; telling him that it was his *manner* of proceeding that offended, and that you and we should easily agree, if we might deal together, or he would follow the direction he brought from you[1]. And about these points was principally our contention, for some time, at the beginning: but when I saw it profited not, I left off; permitting him

[1] [After the solemn asseverations with which this passage is introduced, it is distressing to have to condemn it of falsehood, or equivocation, or both: yet, let the reader turn to Persons's own letter of July 25, 1609, where speaking of that part of Smith's commission which related to the qualification for degrees, he tells Birkhead,—"I would have them (the agents) to propose rather some profitable things to the common cause, *and such as might not have* speciem oppositionis, vel animositatis" (page lxxiv. ante),—and then let him say in what light the present declarations are to be regarded.—*T.*]

to himself, assuring myself, notwithstanding, that whatsoever he should not effectuate to his will he would ascribe to my contradiction, and thereby excuse himself with you there; which being believed, every man seeth what likelihood there is of peace and concord, by his means, among us.

I have examined also the other point which you write, that one of ours here, that never knew you, should say that your said articles did proceed of a wicked and diabolical spirit; and I find that the man, as he is wise, sober, and religious, and both loveth and esteemeth you greatly, so he protesteth, in his conscience, that never in his life did he say or think so of you; but well remembereth that, reasoning with your agent about the staying of the missions of the seminaries, did expressly profess that he doubted not but that your intention was good and lawful, and so he would think of your agent also, but yet that the effects would be very prejudicial to the common cause, as he urged the same, and *might proceed of some diabolical spirit to overthrow the seminaries and the missions also.* Some such things are sometimes spoken *in heat of speech and arguing*, especially with one *that will give occasion*; which yet being uttered *without any evil meaning*, yea, with express exception that it was not meant of yourself, — to have them related in the worst sense, yea, in a sense never meant, you see how unjust a thing it is, and how contrary to all peace[1].

You say that, if your agent behave himself not well, I should complain here to superiors; but I mean not to trouble myself with any such matter. Superiors are wise enough to note such things of themselves, and, as they can be witnesses to me and for me, *that I have not complained of him*[2], nor made contradiction against him or his affairs, as he imagineth, and hath informed you, so will they judge of each man according as they find.

"Your doctrine is good and evangelical, to love, not in words and "tongue, but in deeds and truth; and so I hope you have found in

[1] [How strange, even upon his own very doubtful representation, were the notions entertained by Persons of what he called peace!—Let *Smith* but say that Birkhead has been charged with a "diabolical spirit," and all must be in disorder: but let "*one of ours*" actually level this same charge against the whole body of the clergy, or at those who have suggested what Birkhead demands, and there is "no evil meaning," no violation either of justice or of peace in the proceeding!—*T.*]

[2] [Unfortunately for the veracity of Persons, his own memorial, presented to the pope in 1609, and "complaining" of Smith in the most cruel and unjustifiable terms, still exists, to prove the utter falsehood of this solemn declaration (See page 25, note, ante). On the other branch of the denial, which follows in the present sentence, it is unnecessary to trouble the reader with any remark. —*T.*]

" deeds at my hands, whensoever any occasion hath been offered to " serve or pleasure you : and the like I may say, and much more, of " your agent, though he, for his part, doth repay me in far different " coin. But between God and him be it.

" You say that you and yours are desirous of our friendship, if it " may be had. But alas ! sir, what difficulty is there, of our parts ? " Have we been actors in these innovations sought ? You say that it " would be a great provocation to confidence, if ours would shew so " great alacrity of countenance for the order given by his holiness, for " governing yourselves, as you and yours do. We, you know, *yielded* " *here willingly to the petition," as we did also before, in Clement's time,* when it was first decreed. What shall we do more ? *We are glad to be excluded from that we never coveted.* If you are glad to be bound as you are, why should we be sorry[1]?

" I could feel deeply that you write, that, if I seek to oppress your " agent by false informations, you must bend yourself to defend him, " &c. I did never think to receive from you such a speech." Do you think that, after so many years of religion, I have learned to have no more care of my soul, than to seek to oppress a man by false informations ? You must needs have great credit in him, and very little in me, that can believe this. * * But all is well that endeth well. I will doubt nothing of your good meaning in all; and so shall remain with old affection towards you, and pray God ever to preserve you as myself. This 20th of March, 1610[2].

Your loving friend ever,

R. P.

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[1] [Is it not extraordinary that Persons could write this to the very man, whom he had not only induced, by his false assurances, to act in opposition to the breve of Clement, but had also promised to support with the whole weight of the society, for so doing ?—See page 14, ante.—*T.*]

[2] [Of this letter a copy was made and forwarded to Smith, by Benjamin Norton, one of the archpriest's assistants, with a view to place the agent on his guard, in respect to Persons, and to make him cautious, as he expresses it, " how he conversed, what he said or did, with that old f." (Norton to More and Smith, May 1, 1610, Orig. in my possession). When the letter containing it was gone, Norton informed Birkhead that he had sent it; and the latter immediately wrote to Smith as follows:—" I perceive your friend Benjamin hath light upon my old friend's last letter unto me, and hath sent you the copy. I pray you be wary in discovering it. Such expostulations are only between him and myself, and shall not injure your credit with me. I mean to answer it with silence, because I would continue the peace you have begun. It is strange, both he and Mr. Swinnerton wrote very kind letters unto me, of the sixth of March, and now, of the twentieth, he writeth as you see. But pardon him. It is an answer to one which I writ to him, and sent you a copy thereof; forasmuch as it concerned you" (May 4, 1610. Original in my possession). Norton,

*** *Fitzherbert to Birkhead, June* 18, 1610.

[Copy in Dodd's MS. of his History, iii. 180.]

Right Reverend Sir, and my dear Friend,

I have received yours, of the eleventh of April, and perceive thereby that you mean to conform yourself in all things to his holiness's determination, whereof truly I never doubted. And whereas you seem to find some difficulty, in some part of my lord cardinal vice-protector's last letters to you, wherein his grace wished that your agent here would take the counsel or opinion of those, with whom he was wont to consult your affairs, before his holiness's last order[1], * * this, it seemed to me, the cardinal wished, for the better conservation of union among us: which I speak not, I assure you, for any desire I have to meddle in your affairs, or to be acquainted with them, but only to explicate unto you his grace's meaning, for as much as I have gathered thereof, by his speeches to me[2]. And truly "I should be loath that "Mr. Dr. Smith should confer your business with me, until I should "see him more apt to take advice, and follow counsel, than I found "him when we dealt together." And thus much for that matter.

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in the letter to which I have just referred, adds,—"And whereas Robert (*Persons*) would make the world believe that all exceptions, that Mr. Salvin taketh against Robert, proceed from the informations of the doctor (*Smith*), I tell you, from Mr. Salvin's own mouth, that it is not so (though perhaps it be not fit to utter so much as yet to many); but he can pick enough out of Robert's own letters, as will appear, when matters hereafter, to Robert's shame, may chance to be unfolded."—*T.*]

[1] ["He exhorteth me to observe the breves of Clement and Paul, *prout jacent in omnibus;* and yet adviseth me to persuade you to accept again of my old friend and Swinnerton, and addeth Dr. Thornhill: which how it will stand with the breves, I cannot well conceive. * * * But you see what Blanchetti shooteth at: and, verily, I fear we shall be crossed in every thing, until that be performed" (Birkhead to Smith, April 23, 1610. Original in my possession). The breve of Paul was merely a confirmation of that of Clement.—*T.*]

[2] [It is singular that, if Persons and Fitzherbert were really as indifferent on this subject, as they constantly pretend, Blanchetti should have deemed it necessary, "*for the conservation of union,*" to give Birkhead the advice in question. The fact, however, is the reverse of what Fitzherbert here represents it. Both himself and his friend were annoyed at their removal from the agency: they made it the subject of serious complaint to the cardinal; and hence the latter, aware of their resentment, but unwilling to restrain its effects by his authority, resorted to the expedient of persuading Birkhead to restore them to his confidence. "Postea ex abrupto illis per præfatum D. Smitheum renunciatum fuit, dominationem vestram hujusmodi mandatum (ut omnia negotia cum ipsis communicaret) revocasse; *quod illi ægerrimè tulerunt, et mecum conquesti sunt.* * * * Videns igitur ego quòd, sicut ex concordibus consiliis multa bona poterant proficisci, *ex discordiâ autem, è converso, multa damna oriri poterant,* hortatus sum dominationem vestram [ut] hìc in urbe denuò cum ipsis prout priùs ageretur." Blanchetti to Birkhead, Sept. 24, 1610. Original in my possession.—*T.*]

Whereas you signify that his grace hath given you to understand that his holiness's pleasure is, that you shall observe all the briefs *ad literam*, which you also seem to explicate, saying, it is, not to meddle with the said venerable fathers in matters belonging to your government (wherein you say I shall see that you and your agent will not be backward), I cannot omit to put you in mind that there are, besides the clause you mention, divers others also, contained in the briefs, to be observed *ad literam*, whereto, no doubt, his holiness expecteth that you and your agent shall be as forward, as to that other point by you mentioned: which I say, because, it seemeth to me, you insist altogether upon that one clause, as though the same were only, or principally, to be respected; whereas I may, in respect of my charge under the president of Douay, desire you to remember that there be some clauses respecting him, which are also expressed in the brief, and to be observed *ad literam*,—as, that you are to consult your business with him, yea, and to advertise him, from time to time, of the state of your affairs, to the end he may give notice thereof unto the protector[1]: as also it may please you to call to mind, that your charge is limited only to the government of priests within England and Scotland, by express words; whereby it is also clear that the matters of Douay, or of the other seminaries or priests abroad, do not belong any way unto you[2]: which I am bold to say, the rather because you insinuate that you may have further dealing concerning Douay, for that you say that, although you hope to labour with your brethren to very good purpose, concerning other points, yet you fear that the point of Douay will still stick hardly in their minds. Nevertheless I trust that, when you and they shall have well considered of his holiness's late determination, your wisdom will easily see how ungrateful it would be unto his holiness,

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[1] [It is scarcely possible but that Fitzherbert must have known this to be a misrepresentation. By the breve, or rather by the letters of cardinal Cajetan which the breve confirmed, the archpriest was *authorised* to consult the president of Douay, *whenever he might deem it expedient:* but he was not bound to seek his advice, nor was there even an allusion to the periodical reports, of which Fitzherbert so confidently speaks. See this history, iii. cxxi.—*T.*]

[2] [Fitzherbert would seem to forget that this was the very reason why Birkhead was appealing to Rome. Had Douay or its affairs "belonged to him," that is, had it, like the priests in England and Scotland, been within his jurisdiction, he would have proceeded at once, of his own authority, to reform its abuses: but, as he possessed no power of this description, he could only lament its degenerate condition, and seek a remedy at the hands of the supreme pastor. Though it was exempt from his spiritual charge, he was not the less interested in its well-being: nor was he the less bound to complain, if its president persisted in oppressing him with a multitude of useless and incompetent subjects.—*T.*]

that either any new suits should be commenced, or former quarrels continued, concerning matters already propounded here and determined, especially such as are so far out of the limits of your commission and charge, as the government of the college of Douay and the other seminaries. And therefore my hope is, that, not only you and your agent here, but also our other brethren with you, will surcease from such cogitations, and that, as well by your good means, as by their own virtuous and charitable dispositions, they will apply themselves to the confirmation and maintenance of a general union and peace amongst us all, according to the special order and commandment of his holiness, who hath already seen notable effects thereof in this place, and expecteth the like from you and our brethren with you. But if you, or any with you, will molest others, by putting your sickles into their harvest, you will bind them to their just defence; and, for aught I can imagine, gain as little as hitherto you have done, if not less: "which I leave to your prudent consideration, especially "concerning the college of Douay (which toucheth me most), wherein "I must, much against my will, be an adversary to you, or any that "shall any way impugn the authority or government of the president, "so long as I shall be his procurator; not doubting but that I shall "ever be able to procure him justice in this court", with all reasonable favour, according to his merits, sufficiently known to our superiors here, howsoever they are disesteemed, or rather misconceived, by some with you. * * From my old residence, the 18th of June, 1610.

Yours as my own,

T. SWINNERTON.

No. XII.—(*Referred to at page* 30.)

*** *Birkhead's Instructions for a negotiation with Dr. Worthington. Octob.* 1609.

[Original in my possession.]

Memorandum, that, first, you offer, in my name, all kindness to Dr. Worthington, so he will be willing to concur with us, as being a principal man in our clergy, and rector of the college that was begun and erected for the better help thereof.

2°. That you confer with him, to know the true estate of that college, and especially the debts thereof, and what assured means he hath to pay them, or any part of them, and whether he hath gotten the arrearages, of the which he wrote to me so confidently, as he rather feared the want of men than of money.

3°. To enquire of him whether, if we can be able to assist him in

payment of part of his debts, he will be willing to take one to join with him in the government of the college, as vice-president, leaving him the honour of the presidentship: the which if he will be content to accept of, according as his holiness shall ordain, then shall we be ready to join with him, and to abstain from making any complaint to our superiors, further than hath been done already.

4°. To signify unto him that, if his debts be so great as, together with him, we cannot be able to discharge them, then I trust he will pardon us, if we be enforced, though in fair and gentle sort, to inform our said superiors of the indebted state of that college, to see if we can procure their's or other men's help for the relief thereof.

5°. To tell him that our desire is, to have some certain learned divines maintained in those parts, to write against the adversaries of our faith, to answer and confute their books, and to confirm the catholic doctrine by all sorts of arguments; and that he will assume unto himself such kind of men, so qualified as that some may read, teach, and instruct the youths, and some also perform the foresaid offices against the heretics, for the more honour and credit of the said college; wherein if he be contented soundly and sincerely to join with us, then shall we endeavour, as we may, to send such kind of men unto him:— otherwise, we are not willing to meddle.

6°. That you require of Mr. President an answer to the foresaid points; and that you propose them unto him with all patience, modesty, and gravity, and without any reply to what he answereth.

7°. That sith he is a principal member of our body, he will be content to use my agent, in his negotiations at Rome.

8°. That you utter your message to no man, but to Dr. Worthington himself.

George Birkhead,
Archpriest of England.

*** *Worthington's Answer to the preceding, Nov.* 9, 1609.

[Original in my possession.]

My Answers to certain points proposed by our Right Reverend Archpriest, in October, 1609, for the good of this English college in Douay.

First, I accept most kindly of this offered kindness, and the more because it is signified unto me by so honourable a gentleman: and I desire nothing more in this common service of our church, than to concur with our right reverend archpriest and all our English clergy, for conservation whereof, and of catholic religion thereby in our country, this college was most happily begun.

2°. For want of payment of the catholic king of Spain his ordinary alms, for five years past, which cometh to ten thousand ducats (near three thousand pounds sterling), we were lately in debt above two thousand pounds sterling: but now we have received four thousand ducats, which make about one thousand two hundred pounds, which sum is almost all presently paid to our creditors; so that we remain yet in debt about one thousand pounds. It is now twenty-eight years since father Persons, by his special industry and labour, procured first this pension. The fault of slow payment is neither in his majesty of Spain, nor in father Creswell as not earnestly suing for it, but in officers that are not so careful to put the king's good pleasure in execution. Hereby you see that we have great need of your helps, and so trust you will continue your good care for us, as your predecessor and others have procured us many great supplies: otherwise, we must keep fewer. Your prudence doth consider the difference of our case and others' in necessity; for we have not a man nor youth here, but such as could live in other places sufficiently well. But, to bring them up to this end, to serve our country, we want help.

3°. We have already both vice-president and other necessary officers, readers, and teachers, in this college; so that we need not any more men for these purposes. As for complaints to our superiors, I doubt not but we shall very easily answer all. I think there will be no fault found in the government of moment or importance: and therefore, if any have complained, the blame will so much more redound to himself, for that he observed not the evangelical rule, of admonishing us privately before he told the church: and it will be better for him than for us,—indeed good for us all, that is, less scandal to the world, and less trouble to our superiors, not to prosecute his complaint, except there were more cause.

4°. The indebted estate of this college hath been often signified to our superiors, and, namely, in May last, to his holiness, by his nuncio residing here in Flanders.

5°. I and others do earnestly desire that we had many more good writers against heretics; and, when means can be got for their maintenance, which is the substantial point, then the circumstance of place may be consulted of. In the meantime, we have done, and do, something in this kind, notwithstanding our great difficulties and impediments.

6°. This honourable discreet gentleman, the bearer hereof, hath proposed these points according to your instructions, with great zeal of the common cause, and with singular good desire that yourself and I

should firmly agree and concur; as we both also purpose to do, I make no doubt.

7°. Mr. Thomas Fitzherbert, a worshipful gentleman and reverend learned priest, of his mere charity, without any cost, doth all our affairs with his holiness, and with our protector and cardinals; and fathers Owen and Baines do so procure and send beforehand our pension in Rome, that, these late years, we have continually received for four or six months or more, before it be due: so that we need not any other agent in Rome.

8°. It seemeth that our honourable good friend, this bearer, hath not communicated these points with any other, but only with me, according to your direction; and therefore I have dealt with him also most confidently. And assure you, both I and others take great consolation in his wise and most virtuous behaviour, with all signs of love towards us, and of us towards him. God reward both you and him for it. Written at Douay, this ninth of November, 1609,

By your assured poor friend ever.

No. XIII.—(*Referred to at page* 30.)

*** *Birkhead to More, October* 14, 1611.

[Original in my possession.]

Reverend Sir,

I have received four letters more, at a clap, dated in July and August, &c.—Mr. Champney hath written sundry times unto me, that Dr. Worthington is much inclined to concur with us, but I have been like to Didymus therein: but, to remove my doubt, he writeth again, that there is a conference to be made, upon some conditions, between him and us. He maketh choice of Mr. Dr. Holland and Mr. Harley for him; and I must have Mr. Dr. Bishop and Dr. Smith for me: and they say that what these four shall agree upon, all sorts of our religious countrymen will also agree unto it. God grant they may make a good peace! I understand that the president and father White are reconciled together; which was an harder thing, in my opinion, than to reconcile us and him. If this go forward, I have good hope all will be well. I hear the president will resign his place; but we desire not that: and therefore I mean to write unto him, to have patience for a time; or, at the least, if he will needs do it, to render it over to Dr. Kellison, who is a man so grateful to all our country: and I pray you to write unto him to this effect. * * * And so I leave you to God, this 14th of October, 1611. Your assured friend,

Geo. Salvin.

*** *More to Worthington, Jan.* 28, 1612.

[Original draft in my possession.]

My very Reverend Sir,

Never having as yet written unto you, I know not where to begin, either with excuses for the not acknowledgment of received courtesies, or with removing imputations for want of respect to the place you occupy :—but my conscience being clear, and not accusing me of any undutifulness either to place or person, and possessed with a settled opinion of your prudent discretion and charitable construction of other men's actions, I can noway misdoubt your favourable interpretation of my silence past, and the friendly acceptance of this my unexpected insinuation. * * *

To my great joy and inward comfort, I am informed how that you have been dealt withal, by very special means, about a sure and settled combination with our secular clergy, labouring and travailing in the conversion of our miserable country; and that great hopes are conceived thereby of special good to ensue in God's church: which that it may not be frustrated, nor receive any just imputation of a heady and rash resolution, you intend a meeting of venerable priests, to confer and conclude in these motions what may redound to God's honour, the advancement of catholic religion in our country, relief of the poor priests, and more easy prosecution of this heroical work, they have, with admirable courage, so religiously undertaken. God, undoubtedly, will prosper good intentions, and, with his holy Spirit, direct such consulters to devise, conclude, and order what may be most beneficial for so high an enterprise as is in hand. * * *

The college you govern as president, we all in general respect as our mother; acknowledging thence our first institution in piety and learning: and, while we are bent to advance the glory and dignity thereof, we remember, what you may better witness, the zeal and religious care cardinal Allen, the glory of our country in this age, your renowned countryman and kinsman, took in the erection, foundation, confirmation, endowment, government, and disposition thereof, accommodating the whole project of his pious designs to the good of poor souls in England: and you, whose honour and credit it is to be the successor of so happy a prelate, cannot choose but covet to insist in his footsteps, and to prosecute his so virtuous intentions. What more keen spur can you have, towards the advancement of that your college in all learning, piety, and virtue, than to recall to mind the estate thereof, even in the very infancy, at your first access, when you were a disciple and scholar to so commendable and never sufficiently praised

predecessor? Do not the times seem much altered, when you consider, in that college, what famous scholars have had their education, what renowned writers have had their abode, what forcible warriors against heresy have thence proceeded, what zealous preachers have there had their practice, what virtuous souls have there been nestled, what glorious confessors have there been harboured, what stout champions have thence issued, what troops of thrice happy martyrs have thence marched? You have seen learning flourish, and virtue in the prime: you have beheld the exercise of devout souls, wholly devoted to their country's good: you have heard sighs and groans; you have seen tears in abundance; you have had experience of watchings, fastings, discipline, haircloth, and of all sorts of mortification;—and do you not wish that, in some degree, though aloof, such as possess successively the place might be followers of their predecessors' virtues? I know you wish it; and I see no repugnance, but that both the primitive fervour and zeal, learning and sufficiency, credit and reputation may, and you please, be recalled and reclaimed: and the greatest honour you can expect, were, to have it in your days, and by your means, who could judge best how near it approached, or what distance it kept from it, having been present and an eye-witness both of one estate and other.

To discourse of matters past or present, of disgusts and difficulties in your government, of discontents in such as are brought up under you, were perhaps presumptuous and over distasteful, and for me, that have no further interest than mere good will, a passing the bounds of good manners and duty. Yet, give me leave to say thus much,—that many things may be brought to better perfection, and great profit, both spiritual and temporal, may both you and we reap, by a perfect and brotherly combination and concurrence. I know it would be a most fit and proper remedy to many inconveniences we meet withal in England, and exceeding comfort would it yield to poor labourers, to see it accommodated for the public benefit. You can guess at our ordinary aggrievances, you can discover the causes, and the remedies will easily present themselves; and none more near at hand than the friendly concurrence of you and our superior: and the more strict the connection is of your two bodies, whereof now you are several and disjoined heads, the better and surer shall many inconveniences be removed, and especial comfort be afforded to our poor distressed company. Consider but the difficulty we have to provide for any student newly converted, to pleasure any catholics with their children's education, to have our own society furnished with able labourers, to have

means to encounter with our adversaries in writing books, to find a place of recollection for such as desire for a while to retire themselves, or a place of refuge, being in most hot persecution, or, being banished, a place of harbour, and you shall see whether we have not just cause to sue unto you for your favourable concurrence; our clergy secular not having any one college in their hands, only excepted that you are reputed as one of our company.

And think not that the eagerness of our own avail causeth us to forget our neighbour, and that, our eye being settled upon the good, we consider not the inconveniences incident to such a remedy: for, assuredly, your college shall not be overlaid; but provision will be made, and God will send it, for the satisfaction of each one's desire. The proof I wish to see, that the effect might give testimony of the presence, and the fruit argue the conveniency, of such a combination. This I know, and dare be bold to assure you, that the chiefest here (his holiness, I mean) would receive this as a most joyful relation, if I could inform him how, at this present, we had willingly concurred in one, whom he had so long wished in unity: and, undoubtedly, his meaning is, to take some order in this matter;—howsoever being formerly possessed that that college was already managed by the English secular clergy, yea, and at the disposition of our superior in England; which finding far otherwise, think you what may be supposed he will resolve upon. Yet sweetly and friendly he would have the composition effected; and pleasing it will be to him, to see all parties pleased.

For myself, I herewith offer you my service, in what I may, either in this or any other place, really and truly to be employed for the benefit of that your company:—and confidently I affirm that, happily, you may find it more for your avail and profit, than what you have hitherto used. This may be accounted a proud word: but I presume that one, void of private interest, may effect much for another's benefit, which was omitted, or otherwise transported, where private interest bare sway, or where the interest may be derived some other way, according to the excess of affection. No longer will I entertain you with my rude discourse; but, submitting it wholly to your favourable censure and charitable construction, I rest still with entire affection, for the common good of my country

Ready, and always ready
At your command,
THO. MORE.

*** *Worthington to More, March* 3, 1612.

[Original in my possession.]

Most loving Sir,

I have received your kind letters of the twenty-eighth of January, for which I first render hearty thanks, and consequently will, by all good endeavours, study and labour, so far as in me lieth, to concur and cooperate with others to advance the common cause we have in hand, by priestly functions to help our country. It is now more than [1], since I proposed mine opinion and desire, that some half dozen, or half score grave and discreet priests might somewhere meet together, and confer by commission, at least with consent of many others, and with approbation of our superiors; that, by uniform consent, we might agree what to request of our superior, for the good of the clergy, and better service of our country. Now also an honourable gentleman, whom you know, hath proposed the same, not only to some especial priests of our nation, but also to the two nuncii here at Brussels and at Paris; and all like very well of the motion: but the gentleman himself, who undertook to procure a mandatum for this purpose, is returned into England, and, I know not by what impediments, maketh long delay. I have lately heard from him, by word of one who came thence, that he hopeth to be here shortly: but, if that fail, as may easily happen by many accidents, either some other must procure such a commandment, or we must still expect; for, without commission, a few may not presume to propose any thing in the name of all,—especially, seeing his holiness hath decreed and commanded that none shall propose new or old matters, except all consent whom it may any way concern. We all know and feel many defects, and desire supplies and remedies; yea, and most part of us seem already to agree in judgment what remedies seem most convenient: so that all seemeth to depend upon an orderly conference to be made, which, no doubt, will move and please our superiors, much help our country, and give satisfaction to most good men. To make mention here of particulars, were not to any great purpose, for we may not conclude any thing but by order of authority; no, nor confer nor propose, but only in general, till first we agree to ask the same things, whatsoever we judge necessary, by uniform consent of such as may be *instar omnium*. I cannot say nor do any more, till more be done

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[1] [The paper is here torn, and the words destroyed.—*T.*]

by others, with order from superiors. So I end, for the present; commending you to God, and myself to your holy sacrifices. From Brussels, this third of March, 1612.

Your own ever assured,
THOMAS WORTHINGTON.

No. XIV.—(*Referred to at p.* 32.)

*** *Articles laid before the nuncio, and afterwards discussed in conference between the representatives of Birkhead and Worthington, April* 16, 1612.

Ego, Gulielmus Bishop, sacerdos et sacræ theologiæ doctor, à reverendo domino archipresbytero missus ad illustrissimum ac reverendissimum dominum D. Bentivoglio, archiepiscopum Rhodiensem, apud serenissimos Belgarum principes nuncium apostolicum, ut ab eodem humillimè peterem quatenùs suâ gratiâ et favore cohonestare et ornare dignaretur quosdam ab eodem reverendo domino archipresbytero et reverendo domino præside collegii Duaceni designatos, ad consultandum de pace firmâ, et uniformi procedendi modo inter eosdem constituendo, ab eodem illustrissimo ac reverendissimo domino nuncio jussus declarare in quem finem convenirent, et de quibus articulis tractarent iidem domini designati, hæc quæ inferiùs relata sunt descripsi, 16°. Aprilis, anno Domini 1612.

Finis hujus particularis congressûs, quem reverendi domini D. Archipresbyter et D. Præses collegii Duaceni desiderant, videtur esse præcipuus, ut pax firma, et uniformis modus procedendi inter utrumque constituatur.

Medium ad hunc optatissimum finem perveniendi hoc visum est maximè expediens, ut quidam ab utroque designati in unum locum conveniant, de sequentibus articulis consulturi.

Primus et principalis est, ut collegium illud Duacenum, quod omnium nostrorum collegiorum fons est et propago, ad antiquum statum et splendorem, quoad fieri potest, revocetur: quod ut commodiùs efficiatur, reverendus dominus archipresbyter, Primo loco, reverendum dominum præsidem rogat, ut dignetur coadjutorem sibi coaptare venerabilem virum dominum doctorem Kellisonum, vel quem alium ipse et domini designati nominare possint aptiorem et digniorem:

Secundo, ut reverendus dominus præses professores habeat in collegio suo duos scholasticæ theologiæ; alios item duos, quorum unus controversias, alter casus conscientiæ doceat; item confessarium ejusdem corporis, qui scholares in rebus spiritualibus calleat probè instruere:

Tertio, ut è communi consilio dominorum coadjutoris, confessarii, et quatuor prælectorum, negotia majoris momenti agat :

Quarto, ut non admittat pro alumnis collegii nisi qui valdè apti sunt et ad philosophiam, et ad theologiam addiscendam, et hos majore ex parte per commendationem reverendi domini archipresbyteri et assistentium ejus :

Quinto, ut eosdem scholares in Angliam non remittat, antequàm integrum theologiæ cursum absolverint, quo ad fidem catholicam propagandam et defendendam instructiores sint ; simulque meminerit diù anteà reverendum dominum archipresbyterum admonere, quos qualesque mittendos habeat, ut ipse opportuno tempore præparet illis residentias, quò statim se conferant, ne primo ingressu in manus incidant exploratorum :

Denique, reverendus dominus archipresbyter postulat ut reverendus dominus præses, cum suis, velit sua suffragia conjungere secum ad sanctissimum dominum nostrum, in iis rebus quæ ad statum ecclesiæ nostræ Anglicanæ promovendum maximè spectare videbuntur sibi et suis assistentibus, nisi valdè probabilem rationem in contrarium reddere possit. Item ut eundem apud S. D. N. agentem habeat ; et ut alius, si visum fuerit expediens, utriusque consensu mittatur in Hispaniam, qui pensionem procuret collegii Duaceni.

Alterâ ex parte, reverendus dominus archipresbyter paratus semper erit, cum suis assistentibus et amicis omnibus, bonum collegii Duaceni statum, quantùm in eis situm fuerit, tùm in Angliâ juvare, tùm in curiâ Romanâ et alibi promovere ; deinde curam habere præcipuam omnium ut singulorum scholarium, qui ex collegio Duaceno mittentur.

Præterea, cùm jam piâ quorundam benignitate designati sint quidam, qui contra hæreticos Anglos de controversiis scribant, consultabunt iidem designati quo in loco residebunt scriptores illi, utrùm Parisiis, an Duaci potiùs, ut illi collegio sint et ornamento et adjumento.

Tandem, cum collegium Duacenum, pro tenuitate fructuum, et quòd ære alieno obstrictum teneatur, non posse alere videtur supra nominatos professores, consultandum est, et diligenter providendum, undè sumptus necessarius ad eosdem sustentandos, aliaque collegii negotia expedienda, inveniri possit.

*** *Champney to More, May* 17, 1612.

[Original in my possession.]

Very good Sir,

Before my departure from Paris, I wrít unto you, signifying

the occasion of my absence[1]. I have entreated Mr. Pett to send you a copy of such letters as, upon our meeting and conference, were thought good and necessary to be addressed to his holiness. The parties conferring were Mr. President, Mr. Harley provost of Cambray, Mr. Dr. Kellison, Mr. Dr. Bishop, Mr. Dr. Smith, Mr. Holland licentiate, and myself;—Mr. Wright, dean of Courtray, excusing himself, by reason of his indisposition; but yet seemeth not to be averted from any good course, as appeareth by his letter to Mr. President, wherein he saluteth us all very kindly. Beside these letters or articles to his holiness, there are others, written to our protector and nuncio, concerning this college; signifying the necessity of some other men than there are in it. And Mr. President is very desirous of Mr. Dr. Kellison and myself; but Mr. Dr. Kellison refuseth to come, unless he may be sent thither by the protector's authority; saying that he may otherways be put out again, or at least be soon crossed, that he shall not be able to do that he would: which he apprehendeth to be a thing worthy to be considered, seeing he is so well contented where he is. * * If Mr. Dr. Kellison can be brought hither, this college will flourish more than ever it did, and that in short time. One year's pension will put it out of debt, and there are four years behind. When I come to Paris, you shall hear more: in the meanwhile, I bid you farewell. Douay, this 17th of May, 1612.

Yours ever,

CHAMPNEY.

*** *Memorial presented to Paul V. by the members of the conference, held at Douay, May* 17, 1612.

[Original in my possession.]

Sanctissime et beatissime Pater,

Nos infrascripti, præses collegii Anglicani Duaceni, et deputati ab ipso et archipresbytero Angliæ, cum assensu illustrissimi ac reverendissimi sanctitatis vestræ in Belgio nuncii, Duacum convocati, ut maturiùs cogitaremus quæ ad communem patriæ nostræ afflictissimæ consolationem, quæque ad uniformem in rebus nostris ecclesiasticis procedendi modum ac ordinem maximè spectare nobis viderentur, post quotidianam auxilii divini invocationem, et diligentem multarum rerum disquisitionem, de his tandem convenimus, quæ in hac inclusâ schedulâ

[1] [The letter, to which Champney here alludes, was written on the fifth of May. In it he says,—"This day, Mr. Dr. Smith and myself go for Douay, where we shall meet with Licentiate Holland and Dr. Kellison, named for the president, Dr. Bishop, Dr. Smith, and myself for our superior. Mr. Dean of Courtray is prayed to assist also." Original in my possession.—*T.*]

continentur, quæque tùm ad pacem inter nos confirmandam, tùm ad disciplinam ecclesiasticam in Angliâ constituendam, tùm denique ad catholicorum, qui gravissimam pro fide Romanâ persecutionem patiuntur, conducere plurimùm visa sunt.

Humillimè ergo, Beatissime Pater, sanctitatem vestram rogamus, et in Domino obtestamur, pro eximiâ vestrâ erga gregem Christi curâ ac studio, et pro pristinâ vestrâ in nos Anglos plusquàm paternâ pietate, quatenùs dignetur, precibus non tam nostris, quàm totius ecclesiæ Anglicanæ, aurem benignam præbere, et ea nobis concedere quæ ecclesia Anglicana à multis annis desideravit. Deus Opt. Max. sanctitatem vestram nobis et ecclesiæ suæ quàm diutissimè incolumem conservet. Datum Duaci, 17 Maii, 1612.

Sanctitatis vestræ

Filii et Servi.

Schedule of petitions contained in the preceding.

Collegii Anglicani Duaceni præses, una cum infrascriptis à se et archipresbytero Angliæ ad consilia de rebus ecclesiæ Anglicanæ conferenda designatis, humillimè à vestrâ sanctitate petunt

In primis, ut dignetur catholicis in Angliâ concedere tres aut quatuor episcopos, ut ita omnibus Angliæ partibus commodiùs prospiceatur; ex quibus unus, unitatis conservandæ gratiâ, sit archiepiscopus. Caveatur autem, si placet, ne sacros ordines in Angliâ conferant:

Deinde, ut dignetur catholicos principes hortari atque excitare ut, per suos oratores, seriò intercedant apud regem magnæ Britanniæ, ut ipse velit liberum usum et exercitium catholicæ religionis subditis suis permittere:

Postremò, ut interim sua sanctitas concedat quibusdam, ab archipresbytero Angliæ et præside collegii Duaceni designandis, facultatem, unà cum literis suis commendatitiis, faciendi collectas (ut apostolorum tempore fiebat) in aliquibus regionibus catholicis, ad sublevandam pauperum Anglorum inopiam, qui, per iniquas leges contra religionem catholicam in Angliâ latas, bonis omnibus exuti, inediâ miserè conficiuntur.

*** *The Members of the conference to cardinal Farnese, May* 17, 1612.

[More's copy in my possession.]

Illustrissime ac Reverendissime Domine,

Convocati nuper Duacum, ab archipresbytero Angliæ et collegii Anglicani Duaceni præside, annuente et approbante illustrissimo suæ sanctitatis in Belgio nuncio, ad consilium ineundum de iis per quæ et rerum Anglicarum et dicti collegii status promoveri posset, necessarium esse duximus illustrissimam dominationem vestram certiorem facere

quænam à suâ sanctitate petenda esse censuerimus, et ejusdem favorem ac studium ad ea obtinenda impetrare.—(*They then recite the heads of the preceding memorial to the pope, and thus proceed*) : Ac de his quidem rebus literas ad suam sanctitatem, per dictum illustrissimum nuncium, dedimus, quas si studio ac commendatione vestræ amplitudinis obtinuerimus, maximum nos, gentemque nostram universam, beneficium accepisse putabimus.

Quod ad collegium Duacenum spectat, nihil innovavimus : verùm, quia nec lectiones illas quæ ex statutis collegii habendæ essent, nec eam piarum concionum in Dominicis ac festis diebus frequentiam quæ solebat, nec ita exactam vel rei familiaris vel disciplinæ administrationem ac oporteret, nec denique usum confessarii domestici, qui ex quibuscumque contingentibus occasionibus sine notâ et exitu collegii adiri posset, illic haberi invenimus, ob defectum hominum idoneorum, per quos hæc ex dignitate præstari possent, persuasimus dicto præsidi ut D. Mattheum Kellisonum, sacræ theologiæ doctorem ac professorem, et D. Antonium Champneum, sacræ theologiæ licentiatum, et propediem doctoris laureâ donandum, homines ad dicta munia obeunda aptissimos, et tùm præsidi ipso, tùm clero Anglicano universo gratissimos, in suum collegium introducat : qui libentissimè annuit. Ut tamen hoc firmiùs, tranquilliùs, ac sine cujusquam contradictione fiat, precamur obnixè ut, tuâ amplitudine annuente ac approbante, fiat. Quâ in re illustrissima dominatio vestra non solùm dicti collegii utilitati atque existimationi consulet, verùm etiam per hos homines, veluti per communem quendam nodum ac vinculum, omnium sacerdotum Anglicorum animos connectet. Quod quàm gratum et suæ sanctitati et tuæ amplitudini, nobisque utile ac jucundum futurum sit, et cordati omnes norunt, et nos facilè experiemur. Pluribus verbis a tuâ illustrissimâ dominatione petere rem adeò facilem, æquam, atque utilem, esset de tuâ sapientiâ omnibus notâ, vel de studio tuo erga res Anglicanas nobis satis perspecto, diffidentiam præ se ferre. Itaque Deum obnixè precantes ut amplitudinem tuam quàm diutissimè servet incolumem, humillimum obsequium nostrum illi deferimus. Duaco, 17°. Maii, 1612.

Amplitudini vestræ addictissimi,

Deputati pro archipresbytero Angliæ,

Gulielmus Bishopus, S.T.D.
Ricardus Smitheus, S.T.D.

Deputati pro præside collegii Duaceni,

Thomas Harleius, Ecclesiæ primariæ Collegiatæ S. Gaugerici Cameracencis. Præpositus.
Henricus Hollandus, S.T.L. et in monasterio Aquicinctino Professor.

*** *Bishop to More, June* 4, 1612.

[Original in my possession.]

Very dear Sir,

Though I might now, as I have done heretofore, leave the relation of our business unto others, yet, that I seem not over negligent in writing, I thought good, at this time, to write with others, that you, seeing all our affections, may proceed in our affairs so much the more courageously.

First, I got the nuncio in Flanders his letters unto Dr. Worthington; or else he durst not have so much as given the meeting to any of ours: though he, being wearied out with the daily oppositions of Drs. Norton and Singleton, did daily more and more decline from his old subjection, and desired much, by uniting himself with us, to set himself and his college at liberty. What we agreed on, at our meeting, hath been already certified you. I doubt not but that you will make your benefit of that general consent, about the having of bishops, whom if you can obtain, the three fittest men to begin withal, and of whom his holiness hath the best opinion, as I think, will be Mr. Archpriest for the south, Mr. Mush for the north, and Mr. Edward Bennet for Wales and the marches of Wales.

Solicit to have his holiness's letters to this queen, and to the nuncio to follow the matter here, until he hath gotten her to write unto our king, in favour of the catholics, that they may be permitted to live to their consciences, and not to be so molested and ransacked as they are daily; which was the second point, we moved his holiness in. We desire that the like may be done in Spain, and such other states as may do us any good with the king.

Touching the collection to be made for the poor decayed catholics in England, advise with our best friends there, in what sort it were best to be. I think that, if it should please his holiness to write unto some such archbishops as he thought fittest to further that holy work, charging them to give order through their province to recommend it, and to cause, in every diocese, by the bishops of the same, some honest devout personages to make the said collections, and to certify them what they have gotten in the end, so that there might be no miscarriage in gathering of the money, it would finally come to some good reckoning. What persons you have, fit to send about that business, I know not, but leave it to your discretion. If you see that matter well liked, and likely to turn to much good, if you want fit persons to follow it, let us hear and we will do the best we can, to procure them. Thus much for our petitions to his holiness: now concerning the college of Douay.

We left the president in very good disposition to bring all to good effect: but, having been hitherto wholly subject to others, he dares not, at the first, do what he desireth; neither were we earnest to press him to any sudden mutation, but to work by little and little. The principal means both to assure him to us, and to begin the amendment, will be by the return of Dr. Kellison to the college, which he doth earnestly desire: but Dr. Kellison, having been once already removed thence, feareth to return; and, having now a very honest and honourable place in Rheims, will not forsake that, upon an uncertainty. Wherefore, we have jointly written unto our protector, desiring him, for the good of that poor decayed college, and for the benefit of our whole country, which will arise out of the reforming thereof unto the former state, that he will please to order that Dr. Kellison return thither to assist the president in what he can, both for learning and discipline; which we hope he will not refuse to do, you certifying him, as we have done, that both the president and he himself will be very well content with it; and we all, that met together by the order of Mr. Archpriest and Mr. President, with the assent of the nuncio in Flanders, did and do think it very necessary. Dr. Kellison will be also much the willinger, if he may have Mr. Champney (who, ere these come to your hands, will be doctor) adjoined with him in that college of Douay, both to read, and to help to dispose of that college's affairs. I pray you, therefore, solicit our protector very diligently to effect this most important point; for the which also we have procured Mr. Pole to write unto him; and are promised by the auditor that the nuncio here shall also write unto our protector to the same purpose. Thus having, as briefly as I can, touched the principal points, I do leave the rest unto others, &c. Paris, the fourth of June.

Yours always assured,

William Bishop.

No. XV.—(*Referred to at page* 34.)

*** *John Nelson, one of the archpriest's assistants, to the agent More, October* 20, 1612.

[Original in my possession.]

Very reverend, and right beloved Sir,

When I was beyond the seas, I did twice or thrice write unto you, and, since my return, I sent to Mr. Pett a whole packet of such news and occurrences as came to my knowledge; praying him to gather thereout so many as he thought would any way be welcome to you, and send them, together with my excuse and kindest remembrances, unto

you. And though there be no new occurrences since that time, yet the opportunity inviteth me to write, and the rather, because I am of opinion that some things cannot be too often written of.

First, concerning the college of Douay, I have informed Mr. Archpriest of the state thereof; and he promised me he would write unto you, to signify in his name to his holiness, of the foul abuses that are therein, countenanced by the protector's letters and his holiness's command, that *nihil innovandum*,—a speech which they do too much lay hold of, and much misconstrue. Mr. Dr. Singleton and Dr. Norton maintain a faction in the college, contrary to the president. They live, as he saith, idly. The scholars complain and bemoan themselves, that they have not exercises of learning, nor means to profit themselves by. The two doctors are both insufficient and idle also. Mr. President said to me that, when Dr. Norton was to do any thing, he himself did blush and fear, expecting when the doctor would come out with false Latin; and I was told that a stranger, a religious man, should say of him, that "they had made a doctor that had neither learning nor Latin":—yet father Michael Walpole saith that they must defend this man, and that it is for their sakes that he is opposed, and therefore they must maintain him! Well, if order be not taken, that is, if liberty be not left to the president to take and dismiss men, as formerly it was practised, we must say *multum est innovatum;* as also for that point of a confessarius. It is also a common speech that Dr. Norton shall be president; and the president doth fear that, by one violence or other, they will get the college into their hands. I humbly beseech you to deal with his holiness in that point, and let him understand *quantum innovatum est, dùm ipsi, adhærentes occidenti literæ, clamant, 'Nihil innovandum'*. But we oft tell him of abuses, yet nothing is redressed. They, in the mean time, go forward, encroach upon us, and do what they please. His holiness might also observe that, whilst they, by his breve, curb the clergy from taking degree of doctor, they can promote such as may serve their turns, how unfit soever. If we should not make these things known to his holiness, the fault were ours; because men are holden accessory to that evil which they do not resist. It is strange that Mr. Archpriest's letters work no more effects! If they think him fit to be a superior, they should also think him fit to be credited[1]. * *

[1] [The archpriest himself speaks in a similar way in one of his letters;—"It is strange," he says, "I must needs confess, that, having appointed this government amongst us, he (*the pope*) giveth it no more countenance. But let him do what he will, I hope, by God's grace, ever to honour the chair of St. Peter." Birkhead to More, Octob. 1, 1612. Original in my possession.—*T.*]

Another point worth consideration and information is, that our archpriest cannot, upon any occasion of misdemeanour, concerning either oath or other matters, use the correction that were requisite in such a case; because he shall have the party, upon it, join with one of the religious bodies, who will be ready thereupon to defend him, and the superior thereby shall be contemned. This hath Mr. Archpriest himself bemoaned to me. It seems, by what I hear and see, Mr. Samuel Kennet carrieth himself ill towards our good and zealous priests; and the matter breeds much ill blood, both in the country and other places. Mr. Widdrington, and he that is suspected to be the author of the books, seem to take advantage that Bellarmine's book is not published, and account it as a distrust he hath in the cause: and Mr. Archpriest hath divers probabilities that both the bodies do underhand favour the proceedings of the oath, &c.: and yet we are told that his holiness carrieth a very hard conceit of us, who, with our friends (*absit superbia aut invidia verbo*), are the best friends he hath in the country. It much grieves us, he should be so hardly conceited of us, and so difficult in all our requests; insomuch as I heard one myself, who hath lost some thousands in his defence, speak very feelingly upon that point, and say that he could ever break with grief, to think how this suit for bishops, and that breve of the doctors, and the government of Douay, should thus continue, without giving us redress therein. As for that of bishops, the jesuits, as it seems, have laid some sure block in our way: for father Blount, four years since, did assure Mr. Archpriest that we should never obtain our suits.

Father Griffin Floyd hath left their order, by permission of the general, and is become one of ours, as I am told. * * Last week, when Don Pedro de Sunega went from hence, he had with him father Piercy and father Hart from the Gatehouse, father Everard from Newgate, Mr. Thomas Martin, our friend, and Mr. Harrington also from Newgate, and Mr. Joseph Haines, our friend, from the Clink, and another from Newgate, but I remember not whom. * * Our Blessed Lord reward your pains, and encrease all his blessings on you. Fare you well a thousand times, and pray for me. This 20th of October. Yours as always,

N.

*** *Champney to More, October* 23, 1612.

[Extract from the original in my possession.]

Very loving Sir,

* * Father White, who hath written unto you his occasion of going into Spain at this present, and of whom we here desire you

should testify to their procurator that we are very sorry for his absence hence, as being a special friend of our clergy, assureth us that the college of Douay is to be visited, and that the provincial of the jesuits must be employed therein. A strange course, if it fall out true! Whereupon I have written to the president, that, if the visitor bring with him his holiness's express command, he may expect good thereof; but if he come only with our protector's, little indifferency is to be expected, and therefore the visit to be refused, till his holiness's pleasure therein be known. I know not whether my letters will come soon enough, and what courage he will shew. Hereupon we have thought good to write this to our vice-protector, which we remit to yourself, whether to present it or no. Our protector might have vouchsafed us an answer of ours, concerning that college; but belike he is advised altogether by our adversaries. Well, for all this, we must not lose heart, but hope that God will turn all to the best. Yet must we labour to help ourselves. I think it would not be amiss, that they should be desired either to call out of England all the secular clergy, and to extinguish them by want of succession, or else to permit them to be governed like a clergy, and not to be slaves to another body. But this, peradventure, you will say smelleth of passion. Well, I stay myself:—but I pray you to know his holiness's pleasure, to wit, whether he will that college to be governed by jesuits or no, or whether he will it should flourish with learning and discipline, as in cardinal Allen's time. If not, God's will and his be done: if yes, we may hope he will permit readers to be put there. * * * No more occurreth, at this present, and therefore I commit you to God. This 23rd of October, 1612. Yours ever,

CHAMPNEY.

*** *Birkhead to More, October* 24, 1612.

[Original in my possession.]

Reverend Sir,

I have already so many times answered all your letters, that I know not what to say more, but only wish you happy success in your suit, wherein if you fail, it shall not dismay me: for God suffering it, we must suppose he meaneth that we should have patience, by the merit whereof I hope we shall, in the end, enjoy, by his gracious clemency, our earnest desire.

The president of Douay hath written unto me, as I would desire. He is surely for us, so far as he dare. The other day, I commended Dr. Weston unto him, for three or four months; but he hath no courage to do it, but with the nuncio his advice. It is commonly talked

that Mr. Dr. Norton shall be the president. Both he and Mr. Singleton live idly there, and contradict the president by might and main. As for having you his agent, I perceive he doth not disgust it, but cannot do it as yet. If he had two or three readers, it would please him much; for the scholars cry out for learning. I like your motion for asking some of that abundance, given to our country in Spain; but I fear they have it in possession, that will not part therewith. * * This 24th of October, 1612.

Your assured friend,

GEO. SALVIN. (*Birkhead*).

The president is greatly molested with Mr. Singleton and Mr. Dr. Norton. The college is all out of order; and complaints are made unto me for redress of their calamities. I would not much care, if, at your best opportunity, you did but insinuate this, in my name, to his holiness, for this and other grievances will force us to make more complaints unto him; or, if you cannot, then do it to the protector. His holiness hath made me a superior; and yet am I reputed factious for favouring them, which he hath committed to my charge! *O tempora, O mores!*

Numbers of catholics present themselves to justices, their friends: they offer the oath to be read, and bid them take it in what sense they will. They take it only in respect of allegiance; but the justices certify by bill to the judges that they have taken the parliament oath. I am much urged to approve this manner of taking the oath, but I dare not; because to me it seemeth that therein they may be reputed *libellatici.*

No. XVI.—(*Referred to at page* 45.)

*** *Memorial from the Students at Douay to the Protector, Nov.* 12, 1612.

[More's copy, MS. in my possession.]

Illustrissime ac reverendissime Domine,

Intellecto reverendorum visitatorum adventu, non parva nobis alluxit spes, quòd ab illustrissimâ celsitudine vestrâ et à reverendissimo nuncio Belgii, à quibus hùc destinabantur, in mandatis haberent de rebus literariis, aliisque omnibus ad hujus collegii honorem et utilitatem spectantibus, providere; utque res meliùs succederet, dolores nostros et indigentias, per libellum supplicem iisdem visitatoribus exhibitum, manifestavimus; et posteà per varias informationes etiam scriptas (quoniam ad privatum examen paucissimi vocabantur), quantùm in nobis erat, necessitatem eorum, quæ putabamus, ostendere laboravimus, prout ex visitatorum relatione magis in particulari appa-

rere possit. Sed his omnibus peractis, intelleximus iisdem visitatoribus eam quam optabamus non fuisse concessam authoritatem, nec penes eos fuisse, ea, de quibus conquerebamur, reformare. Unde ad illustrissimam celsitudinem vestram in his nostris miseriis recursum facere tandem compellimur, cui non minorem in rebus nostris disponendis prudentiam, quàm in nostræ gentis cleri dignitate tuendâ solicitudinem semper fuisse perspeximus, et cui etiam causam nostram, cum clarè innotesceret, cordi esse non dubitamus. Consuetam igitur reverendissimæ celsitudinis vestræ in causâ nostrâ audiendâ patientiam, et solitam paternæ pietatis in defectibus nostris sublevandis curam humillimè petimus. Causa et nostra necessitas ex petitione cum informationibus, visitatoribus exhibitis, et illustrissimæ celsitudini vestræ transmissis, et magis in particulari ex relatione hujus delatoris, in cujus fideli operâ magnam confidentiam reponimus [innotescent]. Omni subjectione supplicamus, ut nostræ causæ non noceat quòd aliquos doctores visitatoribus nominavimus, qui minùs apti judicabuntur: doctrinam enim in illis solùm attendebamus, nec ullos nominassemus, nisi ad hoc nos visitatores instigassent[1]. Nostrum tantùm est indigentias nostras proponere, media verò necessaria, et viros doctos ad tale munus idoneos, illustrissimæ celsitudini vestræ, reverendo admodùm domino archipresbytero nostro, ejusque assistentibus, ac reliquis gentis nostræ cleri superioribus, nominandos, ac in hoc nostro collegio stabiliendos, relinquimus.

Regulas aliquas novas illustrissimæ celsitudinis vestræ nomine nobis visitatores promulgarunt, quæ, cum nobis constet nec ipsos quidem religiosos in his partibus ad tam strictam observantiam obligari, non minimam animorum tristitiam, omniumque voluntatum renitentiam nobis attulerunt; nec etiam in animum inducere possumus, nos vel hoc collegium apud sanctissimum dominum nostrum ac illustrissimam celsitudinem vestram tam malè audivisse, ut necesse sit tam strictas constitutiones nobis præscribi; et quia etiam suspicamur has regulas à religiosis patribus societatis suggestas fuisse, et illos ad propriam formam regiminis, potiùs quàm ad consentaneum cleri regimen, collimasse. Si malus aliquis rumor de nobis sparsus sit, confidendum nullam illius justam causam subesse: si inter nos defectus aliqui inveniantur, sperandum quòd sine novis et tàm strictis obligationibus extirpari possint: si malum aliquod secuturum vereatur, non dubi-

[1] [In their memorial to the visitors, they had requested, as the reader will recollect, that the college might be provided with professors of talent and reputation, "such as the doctors Kellison, Bishop, Bagshawe, and Weston" (Visit. 30). The insertion of Bagshawe's name seems to have given offence.—*T.*]

tandum quin per antiquarum constitutionum diligentem observantiam, et fidelem superiorum vigilantiam, totum avertetur. Humillimè igitur petimus ac supplicamus, ut nihil novi oneris suscipere cogamur, nec strictiores regulæ, quàm hactenùs habuimus, nobis imponantur. Attamen in omnibus, ut obsequentissimos decet filios, illustrissimæ celsitudini vestræ nosmetipsos admonendos, regendos, et comprimendos, ex animo subjicimus; cœlestem interim bonitatem suppliciter obsecrantes, ut illustrissimam et reverendissimam celsitudinem vestram diutissimè incolumem servet. Datum pridie Id. Novembris.

Vestræ illustrissimæ ac reverendissimæ celsitudinis
Filii observantissimi,
Collegii Anglorum Duacensis Alumni
[*Here follow the names.*]

*** *Memorial from the Students at Douay to the Pope. Dec.* 1613.

[More's Copy, MS. in my possession.]

Beatissime Pater,

Nos, alumni collegii Anglorum Duaci, animo dolente versantes à quanto exciderit decore et dignitate domus hæc, mater et nutrix nostra charissima, quam habuit, vivente, eamque moderante illustrissimo cardinale Alano, nec aliâ hujus tantæ deformitatis et detrimenti occurente causâ, nisi quòd novis viis et modis novi quidam moderatores res ejusdem collegii ad suum libitum administraverint, petivimus nuper à visitatoribus, hùc missis ab illustrissimo Flandriæ nuncio apostolico, quatenùs regimen hujus collegii in puro et solo clero sæculari denuò stabiliretur, independentèr ab ullo nisi à sanctitate vestrâ et illustrissimo protectore; et ut doctores et confessarium, sicut primitùs, haberemus ex eodem puro clero sæculari: sic enim nobis, omnimodè conjunctis cum patribus nostris, vineam Domini in Angliâ sedulò excolentibus, facillimè omnibus superatis difficultatibus, pristinum gradum recuperaret collegium.

Advertentes tamen visitatores hùc destinatos non fuisse ut his gravissimis necessitatibus providerent, sed potiùs ut regulis novis nos comprimerent, aliaque attentarent rebus nostris mininè convenientia, æquis animis ferre non potuimus. Quare per literas ad illustrissimum protectorem nostrum supplicitèr egimus, tàm ut hujusmodi novum et insuetum onus ab humeris nostris averteremus, quàm ut illa eadem, quæ visitatoribus proposueramus, obtineremus.

Tandem tamen ad pedes sanctitatis vestræ, miserorum refugium, confugientes, confisi de summâ suâ benignitate paternâque curâ quam semper habuit de rebus Angliæ afflictissimis, per preciosissima Christi

vulnera obtestamur ne quicquam apud nos, in nostro collegio, quâvis authoritate, vel quovis quæsito colore, innovetur, vel in regulis, vel in præside collegii, vel in alumnorum dimissionibus, vel in quovis alio, donec sanctitas vestra pleniùs informetur de toto hoc negotio ; et ut authoritate suâ apostolicâ nos uniat et conjugat cum clero Anglicano, quo moderatore, non possunt non omnia suavitèr et prosperè procedere, ad patriæ utilitatem, fidei catholicæ propagationem, Deique honorem, qui sanctitatem vestram nobis patrem et pastorem vigilantissimum, hæresis extirpatorem felicissimum efficiat.

*** *Memorial from the English Clergy to the Pope.* *Dec.* 1613.

[More's Copy, MS. in my possession.]

Beatissime Pater,

Commodissimum hoc tempus visum est nobis, clero Anglicano, interpellandi sanctitatem vestram de collegio Duaceno Anglorum, ut uniatur cum capite nostro in Angliâ ; cum ex iis quæ acta fuerunt ibidem in visitatione postremâ, et alumnorum literis ad illustrissimum cardinalem Farnesium, protectorem nostrum (quorum omnium copiam transmisimus ad sanctitatem vestram), probè intellexerimus et sanctitatis vestræ solicitudinem paternam ne pereat tantæ patriæ nostræ recuperandæ spes, et alumnorum promptissimam voluntatem ne à puro clero segregetur tam præcipua pars.

Humillimè ergo supplicamus, simul cum alumnis, quatenùs dicti collegii regimen, et totum rerum omnium ad illud quoquo modo pertinentium pondus ac dispositio, post sanctitatem vestram et illustrissimum protectorem nostrum, ad solum et purum clerum, sine omni omninò ab aliis dependentiâ, commendetur ; maximè verò reverendissimo archipresbytero nostro, ut omnia ab eo disponantur, prout ipse, cum suis assistentibus, judicaverit maximè expedire rebus nostris afflictissimis. Cleri enim sæcularis, tam benè de religione catholicâ et hac sanctâ sede meriti, plurimum deperditur authoritatis, diminuiturque efficaciæ in conversione animarum, dùm palàm fit, ne ullum quidem presbyterum, nedùm assistentes, nec ipsum reverendissimum archipresbyterum, posse quenquam scholarem, à se ad fidem catholicam conversum, mittere ad seminaria. Undè etiam sequitur minùs acceptos presbyteros nostros apud catholicos laicos, quibus in liberorum educatione nullo modo possunt, ut alii, succurrere. Quid quòd hinc subministrantur nobis presbyteri, doctrinâ et moribus minùs probati, non secundùm patriæ necessitates, sed privatos aliorum respectus ; obtruduntur nobis quos archipresbyter et sui nunquam admitterent, in vituperium ordinis nostri, et præjudicium quandoque religionis catholicæ.

Nec prætermittendum est multis presbyterorum necessitatibus posse hoc modo commodè prospici, dùm et ipsi, non minùs quàm religiosi, haberent quò se quandoque reciperent, à turbine persecutionem judicio reverendissimi archipresbyteri se subducentes tantisper, donec quieverit procella; ubi etiam possent solari senectutem, alios instruendo, post multorum annorum labores, vel recreari paululùm, quò feliciùs, spiritu renovato, opus rursùs reassumerent omissum.

Et quidem licèt, nostro judicio, omnia seminaria ad ejus nutum dirigi conveniret, cui summa rei in Angliâ est commissa, tamen quò evidentiùs ad oculum pateat quantum incrementi religio catholica hinc capiet, hanc saltèm gratiam nostrates maximi facient, si sanctitas vestra dignetur hoc unicum seminarium eis in manus tradere, in solatium afflictorum, instructionem presbyterorum, fidei catholicæ augmentum, hujus sanctissimæ sedis exaltationem, Deique honorem præcipuum, qui sanctitatem vestram in plurimos annos ecclesiæ suæ dignissimum pastorem servet incolumem.

*** *Dr. Bishop and others to the Nuncio. Jan.* 2, 1613.

[Pett's Copy, MS. in my possession.]

Illustrissime ac Reverendissime Domine,

Cum nobis antea concessum fuerit illustrissimæ dominationis vestræ et erga nosmetipsos benignitatem, et erga res nostras Anglicanas studium eximium experiri, id etiam nobis animum addidit ad eandem rursùs, tanquam ad sacrum asylum confugere, quando rerum nostrarum conditio vestram desiderare opem, vestrumque implorare auxilium videatur. Aliàs cum illustrissimâ dominatione vestrâ, si meminisse placuerit, missi à reverendissimo domino archipresbytero Angliæ, egimus de collegio nostro Duaceno ad pristinam formam reducendam (*reducendo*); vestrâque potissimùm gratiâ et favore freti, reverendum dominum præsidem eâ de re, et plures alios antiquiores et melioris notæ sacerdotes nostrates Duaci convenimus, et quæ ad collegii illius meliorem statum spectare nobis omnibus videbantur, tùm ad illustrissimam dominationem vestram, tùm ad illustrissimum cardinalem protectorem retulimus; nec tamen aliud responsum recepimus quàm illud generale, "*nihil innovandum esse.*" Veruntamen postea missi sunt visitatores, qui tantum abest ut meliorem ejusdem formam procurandam instituerent, quòd novis etiam gravaminibus scholares ibidem pacificè viventes opprimere conarentur; undè à novis eorum oneribus (quas novas regulas nominabant) scholares appellare coacti sunt. Nihilominùs nuper, ut accepimus, reverendus dominus præses in mandatis habet (à quo nescimus) decem scholares, melioris notæ,

indolis, et eruditionis, ex eodem collegio dimittere; non ob aliud crimen quàm quòd illi humilitèr à dominis visitatoribus petierunt ut collegium illud ad statum, quo olim cùm doctrinâ tùm pietate floruit, restitueretur: quod quàm iniquum sit, quàmque ipsi collegio incommodum, et ad publicam inter nos pacem conservandam ineptum, vix possumus explicare. Iniquum innocentes punire, et homines, patriam ac parentes, ut Deo et ecclesiæ ejus egregiè inserviant, relinquentes, à tàm sancto instituto divertere; incommodum juvenes, in medio et propè in fine studiorum, ejicere, ut rudes eorum loco recipiantur: et cum hoc in odium vel contemptum cleri sæcularis fieri videatur, dissentionis majoris fomes existat necesse est. Præterea, quomodo poterunt reverendissimus dominus archipresbyter et assistentes ejus vel scholares ad collegium inposterùm transmittere, vel sacerdotes indè revertentes hilari fronte recipere, cum intelligant ne in ullo quidem collegio unum foveri scholarem qui clero faveat, quique pro illo mutire audeat? Quamobrem illustrissimam dominationem vestram humillimè rogamus ut, pro solitâ suâ erga patriam nostram afflictam pietate, hujusmodi violentiam impedire velit, admoneatque reverendum dominum præsidem nè illos scholares ante finita eorum studia dimittat. Non dubitamus quin illustrissimæ dominationi vestræ velit obtemperare: sin minùs, rogabimus illustrissimum cardinalem Perron, patronum hìc nostrum colendissimum, hanc illorum et nostram causam sanctissimo domino papæ et notam facere et commendare. Sed si illūstrissimæ dominationi vestræ placuerit hoc suo præstante beneficio nos et clerum nostrum sibi devincire, nos omnes à magno illo labore facilè liberabit. Deum Opt. Max. pro illustrissimâ dominatione incolumi quàm diutissimè conservandâ assiduè orabimus.

Illustrissimæ Dominationis vestræ servi humillimi,

Gulielmus Bishop.
Richardus Smith.
Ant. Champney.

*** *The Nuncio's Answer to the preceding.* *Jan.* 20, 1613.

[Champney's copy, MS. in my possession.]

That which went before this was only an ordinary preface[1].

Secundo loco, adjectis veluti quibusdam querelarum capitibus, descenditis ad improbandum novas regulas, in Duacenum Anglorum collegium introductas, et nominatim nonnullorum ex illis alumnis dimissionem; quæ quidem omnia constituta sunt in visitatione de mandato

[1] [This note is in Champney's handwriting.—*T.*]

sanctissimi domini nostri, paucis abhinc diebus, habitâ. Ego quæ à vobis scribuntur, singula in hac meâ responsione persequi minimè necessarium puto, cum existimem vos de visitationis prædictæ decretis omnibus plenè certiores esse factos per eum, à quo de nonnullis vos edoctos indicatis. Verùm novas regulas non ita observatu difficiles, vel adeò graves esse ut *onerum* nomen promereantur, indè apertè liquet, quòd jam plerique alumnorum palàm fatentur se non reclamaturos fuisse, nisi ad id, persuasione ac ferè impulsu unius ex superioribus, adducti essent. Eum verò superiorem privatis potiùs opinionibus, quàm publico vestræ causæ bono, duci quivis facilè conjiciet, qui præsentem collegii statum diligentiùs animadvertet.

In eo autem quod additis de alumnorum aliquot dimissione, statutum esse in cleri sæcularis contemptum, longissimè à vero aberrare vos sentio ac doleo: dùm enim sua sanctitas collegium visitari præcepit, nihil habuit antiquius dicti cleri existimatione, ad quam tuendam, paternâ suâ in res Anglicanas solicitudine, illud primum per illustrissimum dominum cardinalem protectorem et per me curari mandavit, ut ea præscriberetur forma regiminis, per quam cùm alumni, tùm cæteri omnes, intelligerent, collegium à prædicto clero dependere, et ad ea quæ regimen attingunt externorum neminem manum admovere. Cæterùm dimissionem alumnorum aliquot omninò exigebat collegium, magno ære alieno onustum, et rerum ferè omnium indigentissimum, cum alumni plures essent numero, quàm ut certis collegii redditibus ali possent. Dimittuntur autem qui in messem Anglicanam habiles operarii habentur, quique justioribus de causis ab aliorum contubernio separari debent; non verò melioris indolis et eruditionis, ut ad invidiam ii forsitan evulgant, à quibus vos accepistis.

Reliquum est ut petam à vobis, animum inducatis, sanctitatem suam illiusque ministros unum quærere vestræ patriæ bonum, atque ad illud esse directa quæ hucusque acta sunt, ac fore ea omnia quæ indies statuentur ad meliorem dicti collegii disciplinam stabiliendam. Vestrum erit piam suæ sanctitatis mentem precibus apud Deum assiduè juvare, ac extinctis privatarum dissentionum vestrarum seminibus, publicam vestram causam, quantum in vobis est, promovere. Interea vos divinæ custodiæ commendo. Bruxellis, 20 Januarii, 1613.

*** *Dr. Bishop and others in reply to the foregoing. Feb.* 6, 1613.

[Champney's Copy, MS. in my possession.]

Illustrissime ac Reverendissime Domine,

Transmisit ad nos honorandus frater noster, Dominus Clercus, literas illustrissimæ dominationis vestræ, Bruxellis 20 Januarii datas,

humanissimum ad nostras, 2_{o}. ejusdem mensis Parisiis exaratas, responsum continentes, atque adeo novam benignissimi vestri erga nos et res nostras affectûs probationem exhibentes: unde et nobis hæc pauca solitâ observantiâ et submissione suggerendi animum addiderunt. Ab eo ergo, quod ultimum in vestris literis occupat locum, ordiemur.

Sanctissimè itaque protestamur nos ita erga sanctitatem suam et ministros ejus semper affectos fuisse, ut eos res nostras pio affectu curare nullatenùs dubitemus; cujus efficax testimonium est continuus noster ad eorum præsidium in omnibus difficultatibus recursus, et gratissima acceptatio eorum, quæ in rebus nostris (præhabitâ verâ rerum notitiâ) ab iis statuuntur.

Quod ad collegium Duacenum spectat, cum, ab antiquis temporibus, et doctrinâ et pietate, sine novis istis regulis, summoperè floruerit, non facilè apparet cur modò necessariæ judicandæ sint. Si verò necessariæ non sint, graves et onerosas esse necesse est. Quapropter antiquam et probatam collegii disciplinam collapsam longè tutiùs est, uti arbitramur, reparare, quàm novam aliquam introducere; præsertim ad eorum instantiam, qui existimationis propriæ incrementum potiùs, quàm collegii illius prosperitatem, à longo tempore quæsivisse non obscuris argumentis probantur. Quocircà superiorem illum, quisquis ille fuerit, qui alumnis persuasit novas illas regulas abnuere, cum probabile sit illud eo fecisse animo, ut antiqua restitueretur disciplina, tàm collegii illius bono, quàm publico causæ nostræ, studuisse minimè dubitamus. Porrò, cum sua sanctitas, ut refert illustrissima dominatio vestra, mandaverit ut ea in collegio illo præscriberetur forma regiminis, quâ collegium à clero sæculari dependere, et ad ea, quæ regimen attingunt, externorum neminem manum admovere, tàm alumni quàm cæteri omnes intelligerent, omnia in nuperâ visitatione contrà æquissimum hoc mandatum facta fuisse plurimùm miramur: ita ut neque reverendissimus archipresbyter, neque quispiam alius ex clero sæculari, qui cum illo sentit, ne verbum quidem de visitatione instituendâ, vel de visitatoribus nominandis, vel de rebus in visitatione gerendis vel gestis, audiverit, nedùm in eâ consenserit; imò, è contra, omnia facta noscuntur contra cleri sæcularis voluntatem, ex suggestione et ad mentem externorum, quos vel manus suas ad collegii illius regimen movere sua sanctitas prohîbuit.

Quòd collegium illud indigentissimum sit non diffitemur. Esto etiam quòd nulla sit illius indigentiæ subveniendæ ratio (cum tamen non desint probabilissimæ), longè tamen meliùs arbitramur illud in præsente penuriâ ad tempus relinquere, quàm per præscriptam alumnorum dimissionem illius necessitati succurrere: nam non solùm

reverendissimus dominus archipresbyter, sèd et nonnulli alii viri graves, apud suam sanctitatem de multitudine sacerdotum minùs eruditorum, in messem Anglicanam immissorum, propter multa et magna incommoda inde pullulantia, sæpè jam conquesti sunt. Quapropter satiùs esse, et sanctitatis suæ voluntati conformiùs non dubitamus, collegium præsentem indigentiam tantisper pati, quàm, ex tali illius sublevatione, graviora mala universo regno inferre: nam quales rumores, de novis tumultibus in collegio et dissentionibus inter nos, aures omnium complebunt, ex inusitatâ hac diaconi et multorum scholarium expulsione, quivis rerum nostrarum gnarus facilè potest conjicere. Et si dicatur, quòd hi justis de causis ab aliorum contubernio separandi sint, nonne justum est ut tales causæ illis saltem innotescant (quod hactenùs factum non est), qui pro iisdem puniri debent; cum alioquin innocentissimus quisque pari modo damnari poterit?

Patiatur, obsecramus, illustrissima dominatio vestra nos id quod suspicamur eidem liberè insinuare,—veras nimirùm illarum rerum causas ipsi esse occultatas, aliasque confictas, quæ, cum probari non possint, proferri non debent, ne ipsis quidem contra quos objiciuntur; quæ quidem judicii forma in iis, quæ non tantùm famam et fortunam evertunt, sed et ipsis omnibus periculum non leve creant, quàm æqua sit viderint ipsi qui Deum judicem supremum cogitant. Illud quoque præterire non possumus, nobis per quendam sacerdotem, patribus jesuitis amantissimum, significatum esse, ista omnia in collegio facta esse, quia, superiore vere, quidam ex clero sæculari antiquam collegii disciplinam restituere laborarunt;—quod sæcularis cleri quantum contemptum arguat, cui potest esse obscurum? Quæ omnia illustrissimæ dominationis vestræ censuræ ponderanda relinquimus, finemque dicendi facientes, supplices eandem rogamus ut ea, quæ à visitatoribus ordinati sunt, effectum saltem non sortiantur, donec suæ sanctitatis voluntas de iis in particulari innotescat. Et Deum Opt. Max. pro incolumitate vestrâ orare non cessabimus. Parisiis, 6°. Februarii, 1613.

*** *Memorial from Five of the dismissed Students to the Nuncio. Feb.* 13, 1613.

[Pett's Copy, MS. in my possession.]

Illustrissimo ac reverendissimo Domino, Domino Nuncio Apostolico, causam suam exponunt humillimè quinque collegii Anglorum Duaceni alumni, cum, de mandato illustrissimæ dominationis vestræ, ex alumnis collegii nostri decem dimittendi nominentur, ut inde eidem collegio levamen aliquod et subsidium afferatur, et, inter cæteros, nos quinque qui tanto mandato resistere noluimus, vehementissimè tamen studiorum

cursus perficiendi impellente nos desiderio, amicos nostros in Angliâ de hac nostrâ dimissione certiores reddidimus, opemque illorum imploravimus, per quam ad optatum finem studiorum, ad Dei gloriam et nostram consolationem, pervenire possimus; qui nobis quàm maximè condolentes, ex nimiâ suâ charitate, ad hunc finem nobis media suppeditaverunt: nos autem hoc ipsum reverendissimo domino præsidi nostro, ejusque assistentibus proposuimus, qui, inconsultâ illustrissimâ dominatione vestrâ, rem determinare recusabant. Quare nos, miseri et indigni filii vestri, illustrissimam paternitatem vestram humillimè rogamus, uti hunc nobis favorem concedere non dedignabitur, qui non solùm nobis, verùm etiam amicis nostris nobis beneficis, imò et omnibus in Christo nobis benevolentibus, concessus judicabitur. Interim omnium bonorum remuneratorem, omnipotentem et omniscium Deum, precamur ut illustrissimam dominationem vestram protegat semper, salvet, ac remuneret. Duaci, die 13°. Februarii, 1613.

Illustrissimæ dominationis vestræ filii obsequentissimi,

Joannes Worthingtonus
Rodolphus Methamus } Sacerdotes.
Georgius Jeffreus
Michael Ocleus, Diaconus,
Thomas Fieldus, Theol. Studiosus.

*** *Worthington to the Nuncio, Feb.* 13, 1613.

[Pett's Copy, MS. in my possession.]

Illustrissime ac Reverendissime Domine,

Etsi corporis infirmitas, quæ me per multos jam dies gravavit, vix quicquid scribere permittat, necessitas tamen cogit certiorem reddere illustrissimam dominationem vestram, quòd quinque ex alumnis illis, qui designati sunt ut è collegio hoc, ad illius levamen, recedant, intra mensem hunc Februarii, interea receperunt ab amicis subsidia, quibus sine collegii onere sustentari possint, quousque cursum studiorum perficiant: ideoque hac datâ cautione, pecunias scilicet pro expensis præ manibus solvendo, humillimè supplicant et obsecrant hìc in collegio, ad dictum terminum studiorum absolvendorum, permaneant, quatenùs ipsi pro suâ parte statuta omnia sòlicitè observent. Hoc ut fiat, solùm deesse videtur gratiosa illustrissimæ dominationis vestræ approbatio atque confirmatio, quæ non illis tantùm quinque (nimirùm tribus sacerdotibus, uni diacono, et alteri sacræ theologiæ studioso), verùm etiam benefactoribus, imprimis illis qui hanc ipsis largiti sunt beneficentiam, pluribusque bonis gratissima erit. Christus Dominus illustrissimam dominationem vestram pro summis in nos omnes bene-

volentiâ atque beneficentiâ remuneret, ac diutissimè nobis et ecclesiæ suæ conservet. Duaci, die 13°. Februarii, 1613.

Illustrissimæ ac Reverendissimæ D.V.

ad obedientiam

THOMAS WORTHINGTONUS.

*** *Worthington to Champney, March* 1, 1613.

[Original in my possession.]

Most dear good Sir,

Your conjecture is right, that I could not answer yours and Mr. Dr. Bishop's former letters, by reason of mine infirmities, which made me very weak; neither have I as yet recovered my former strength. Our difficulties here do still encrease. Five of our scholars, designed and commanded to depart, to diminish the expenses of the college, having money sent from England to maintain them as convictors, till they may end the course of their studies, can neither be permitted so to stay, nor can know any other cause why they are dismissed; which seemeth marvellous strange to very many judicious men, with whom they have communicated their cause, for counsel and assistance, by way of supplication for more favour.

Concerning that which the nuncio hath written to you[1], I assure you I cannot believe nor imagine that "plerique alumnorum," no, nor any six or seven, have affirmed, or will affirm, that they were advised or encouraged by me (whom the nuncio seemeth to mean) to reclaim against the new rules: and therefore, in my conscience, I judge that the nuncio is falsely informed in that point, and many others. Most sure I am that I have not done that, wherewith I am charged.

Whereas the nuncio saith it is his holiness's will, it shall be seen that this college is governed by the ordinary clergy, not by jesuits nor others, hitherto it hath appeared that the fathers of the society have indirectly directed most things in the government, by consent and cooperation of the last president past, and of him that is now, at this present.

The information given at Rome is both false, and, I fear, malicious. I hope at last I shall be heard before indifferent judges; then shall I shew clearly (to answer here briefly, in a few words), that the president was holden and judged sufficient, thirteen years together; but now, since he and other doctors, meeting together and joining in

[1] ["This you shall see in the nuncio's to us" (Marginal note in the handwriting of Champney). See the nuncio's letter of Jan. 20, 1613, page cxxvii., ante.—*T.*]

judgment with many more, thought it necessary to have more learned men in this house than are at this present, he is accused of insufficiency, this last year, which is the fourteenth of his government. 2°. We have very proper scholars,—twenty at least divines, and ten philosophers. I dare compare that they are no way inferior to the better sort of our other seminaries in Rome and Spain. 3°. Our scholars go neither tattered nor torn in apparel, nor eaten nor molested with lice. Eye-witnesses will testify that these be lies. Our napery, though it be poor, yet is honest and clean: the contrary report, that it is too too filthy, is another lie,—be it spoken and repeated with reverence. 4°. We never sent more mean priests from this house, than have been sent from Rome and Spain; and albeit we have sent far more in number, yet fewer of them all have become apostates, and incomparably more of ours are glorious martyrs,—let who list examine it. 5°. We have a very diligent porter; and all the fault of going disorderly abroad pertaineth to the vice-president. 6°. It is true that Dr. Norton gave license to two scholars, to be forth of the college all night, with other youths, his cousins, unknown to the president, and by him condemned, and had been punished by expelling the two scholars, but that Dr. Norton had given them license, and hath got a protection since, that the president cannot expel him, nor deprive him of his office of vice-presidentship, though he had that office of no other superior but the president. Indeed, it was the president's oversight, that he did not punish this gross disorder, when he had authority to have done it. These be the true answers to the informations, as I will insist by life and death[1].

Touching father Creswell's informations, I doubt not but they are copied out of Dr. Norton's letters to him. The number of guests, which were received here, were reverend priests, carried into banishment out of prisons in England, after their constant and glorious profession of their faith. 2°. The scholars lying without, all night, was that before mentioned, written belike by some other; for Dr. Norton cannot be so impudent as to lay his own fault upon the president:—but either he or some other so wresteth it.

I beseech you, impart this to Mr. More; and I do earnestly request

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[1] [This is confirmed, in a great measure, by Bishop, who, speaking of Worthington more than a fortnight before the present time, says,—"His old agent" (Fitzherbert)"is now become his new underminer. Most of those things, that be objected against him, be false: for there is a porter, and the scholars do not lodge abroad, neither are they so ragged and lousy as they would make them." Bishop to More, Feb. 12, 1613. Original in my possession.—*T.*]

Mr. More to answer for me, as I have here written ; which good office God will reward, for whose cause and our country's we labour, and suffer, and, through his grace, shall be ready to die. So to his holy will I resign myself, and commend us all. From Douay, this first of March, 1613.

Your own ever,
THO. WORTHINGTON.

*** *Worthington to the nuncio, March* 4, 1613.

[Pett's copy, MS. in my possession.]

Illustrissime ac Reverendissime Domine,

Literas illustrissimæ dominationis vestræ, 20 Februarii datas, recepi secundâ Martii, quas statim assistentibus communicavi. Antea verò admonueramus illos qui designati erant è collegio recedere, ut hoc ipsum intra mensem Februarii facerent : ipsi tamen abire hinc recusabant, eò quòd meliorem expectabant responsionem ad libellum ipsorum supplicem ; quam excusationem nos non probavimus, sed continuò ut recederent admonuimus. Acceptis demùm literis, iterùm idipsum fecimus. Illi, è contra, allegant quòd sine infamiâ recedere non possint, iterumque volunt supplicare ut vel admittantur convictores, vel alia causa significetur, ob quam illi, sicut alii, admitti non possunt. Talem verò causam nos reddere non possumus, nec quid agamus facilè cernimus. Unus tamen ex assistentibus judicat convenire ut, licèt veniant nobis invitis ad refectorium, non dentur illis portiones, sicut aliquando decretum erat contra alios è collegio dimissos. Sed reverà inter hos et illos est hoc discrimen, quòd illi priores convicti fuerint de delicto, hi autem hactenùs de nullâ culpâ accusantur ; et memini illustrissimam vestram dominationem judicasse nos satis severè processisse in causâ priorum. Ideoque cupimus adhuc cognoscere an illustrissima vestra dominatio mandabit hoc vel alio modo procedere, ne plùs æquo faciamus vel omittamus. Christus Dominus illustrissimam vestram dominationem, ad nos dirigentes, dirigat et semper conservet. Duaci, 4 Martii, 1613.

*** *Worthington's testimony in behalf of the dismissed students, March* 4, 1613.

[Pett's copy, MS. in my possession]

Thomas Worthingtonus S.T.D. et collegii Anglorum Duaceni præses, præsentes visuris salutem in Authore salutis.

Attestor istarum latorem, magistrum Gulielmum Raynes, hujus collegii alumnum, hìc piè vixisse, diligentèrque sacræ theologiæ studuisse,

nunc verò ab eodem recedere, unà cum aliis quibusdam, similitèr piis ac morigeris, sociis, non ob aliquam in quovis ipsorum culpam, vel defectum, sed ob necessitatem ac indigentiam communem ; ut, ex diminutione numeri alumnorum, collegium ipsum citiùs ab ære alieno, quo premitur, liberetur ; et hoc ex speciali mandato superiorum, post informationem factam à quibusdam visitatoribus, de præsente collegii statu : ideoque hunc latorem, sicut et alios eodem modo perquàm dolentèr dimissos, omnibus Christi fidelibus, ad quos pervenerint, in Christo Domino commendo ; humillimè et obnixè rogans, ut tàm desolatis ac piissimis virtutum ac bonarum literarum studiosis quibus possint consolationibus atque auxiliis opitulentur, ut, sic adjuti, ad nos redeant, ac studia prosequantur, ac tandem, juxta maximum quem habent zelum et sanctum hujus collegii institutum, fructuosi evadant operarii spirituales lucrandarum in patriâ animarum. In quorum omnium fidem, præsentibus subscripsi, et sigillum collegii impressi. Duaci, die 2 Januarii, 1613.

Ista est vera copia testimonii, quod dedi aliquibus, et quale daturus sum aliis ob eandem causam è collegio hoc recedentibus. Duaci, 4°. Martii, 1613.

Thomas Worthington, Presbyter.

*** *Worthington to Pett, March* 14, 1613.

[Pett's copy, MS. in my possession.]

Good Sir,

Your letters, together with the nuncio his answer, came more slowly by the way of Cambray ; for, being dated the 22d of February, I received them not till the 2d of March, in the afternoon. The nuncio his answer is, as you feared, not so favourable as we wished ; for his grace admonisheth us seriously, and enjoineth that, according to the former determination, all, that were by name appointed, must depart from the college ; whereto these five, that have means to live as convictors in the college, yield not to depart from it : neither a sixth, Mr. Thomas Tunstall, who is a convictor, and is not burdenous to the college. These six, therefore, demanding of me and my assistants to know the cause why they cannot be permitted to stay as convictors, we not being able to answer them (for indeed we knew no true and right cause), Dr. Norton and also myself, amongst other speeches, said they must demand to know the cause, of the nuncio or other superiors, not of us ; and so two of them, in the name of all six, come to Brussels, to make humble suit, that either they may remain as convictors in the college, or know the cause why they may not ; and withal, to be

heard to purge themselves, if they can, against what shall be alleged. They will demand also to know why *they* are rather commanded to depart, than others. It is true also that the means, which is given to maintain them in this college, is not given them to live upon in any other place; because it neither is so convenient for them, nor can be with so little charges. This you may please to affirm, as occasion may require; and I will confirm it to be true, as most true it is. And so I commend you and us all to God. From Douay, this 14th of March, 1613.

Your own ever,

THO. WORTHINGTON.

Upon new occasion, only one doth come.

*** *Pett to More, March* 16, 1613.

[Original in my possession.]

Very reverend and beloved Sir,

* * I am glad you write that you are in hope to do some good for Douay, and shall be more glad when I see it effected. But, in the mean time, the poor students do suffer. I have heretofore certified you of the dismission of certain of them, as also of their humble petition unto the nuncio his grace here, that they might be admitted to remain as convictors till the end of their courses; they having procured from the archpriest and other good friends in England means for their entertainment. I sent you a copy of their petition, as also of the president's letter to that effect: and whereas you writ that one belonging to our cardinal protector told you, and that also you were otherwise answered, that, could those dismissed find money and means to pay for their boards, they might stay as convictors, the contrary is experienced; for that the nuncio here hath absolutely denied it them, as you shall perceive by a copy of the president's letter unto his grace, as also of another to myself, which I here send you. And that refusal hath given occasion of further trouble to those poor students, who seeking yet further to help themselves, and procure the nuncio in some sort to mitigate and alter his determination, they obtained letters from father Leander, the superior of our English benedictines in father White's absence, to two principal doctors of Louvain, Dr. Torris and Dr. Coquenius, the one primarius, the other secundarius, regens, who in their favour wrote hither to Brussels, to the archduke's preacher, a dominican friar and Spaniard; and further, they procured also letters from two capuchins of Douay to one father Ambrose, a capuchin here, a great preacher, and of like authority in this place; and, in the name

of all the rest, they sent one to negotiate their business, who by the president was directed unto me, to give him what help and assistance I could, which accordingly I did, and went with him to both the parties above mentioned, and solicited myself in particular the vicar general, who was one of the visitors, and also father Percy[1], who is now here in father Anthony[2] his place, but could move neither of these two latter. The other two former went and spake to the nuncio for them; after which I procured and brought him to have audience himself of his grace, who, in conclusion, willed him (as he saith) to return again to Douay, and that he will further write unto the president, as concerning them :—and this is all which as yet is obtained.

Dr. Kellison writeth to me that father Anthony Hoskins, in his journey to Rome, passed by him at Rheims, and that he discoursed with him at large of many matters, and told him plainly that they[3] must be content that that college of Douay stand a friend, but not to be ruled by them, but be left to our free government, and that they should get neither honour, nor love, nor profit, by seeking to have a hand in it; and that he found him very reasonable herein. * * * With my poor prayers, &c., I take my leave, resting ever

Yours most assuredly,

Brussels, this 16th of March, 1613. ROBERT PETT.

**** *Kellison to More, May* 20, 1613.

[Original in my possession.]

Good Mr. More,

Our friends from Paris wrote unto me the news that came from you; and since, I have received letters from the protector and the nuncio at Brussels : so that, on Thursday next, which is the last before Whitsuntide, I intend, God willing, to set forwards towards Brussels, to see what the nuncio will say. I have ever protested, and so it is, that, if I may be so placed in Douay that I may do good and give the contentment I and others desire, that I will not refuse to go again to Douay, and to leave my friends here, my present condition, and hope of better, my quiet life, &c., to profit the common good : but if such laws or conditions be imposed upon me, that I see that I shall but vex myself, and not effectuate the good which is intended, I presume that no reasonable man, at least indifferently affected, will condemn me if I refuse the place. But if the protector and nuncio put the college in

[1] [More generally known as father *Fisher*.—*T.*]
[2] [Father Anthony *Hoskins*.—*T.*] [3] [The jesuits.—*T.*]

our free government, yoke us with none that will ever be opposite, prescribe no such laws as shall so limit us, that I shall not be able to prosecute the good of that house, I will certainly undertake the charge, though I apprehend it as very heavy; and will do all I can to set up that college again, and, by it, our clergy. But, as I will be a true clergyman, forward to further the good of our own body, so will I not oppose against any other body (unless it be to hold our own; which is not to impugn others, but to defend ourselves), but will, as I have ever endeavoured, seek to live in peace with all men; knowing what scandal and hurt hath arisen of dissention and division. I fear hard conditions; and consequently think rather of my return to my quiet nest at Rheims, than of dwelling in Douay. We shall see shortly. In the mean time, I will write answer to the protector's courteous letter, when I have concluded, off or on, with the nuncio. Rheims, this 20th of May, 1613. Yours of old and ever,

M. Kellison.

*** *John Melling to More, June* 22, 1613.

[Original in my possession.]

Good Sir,

We have understood, by a letter from you to our president and us, that his holiness was much displeased with us all, that we refused to admit and put in execution the new rules, which the late visitors promulgated amongst us. * * * Although Mr. President, being there present, may sufficiently make an apology both for himself and us, in those matters, and give a true relation unto his holiness of our proceedings, yet, notwithstanding, for a better satisfaction unto yourself, and discharge of our duty, and respect of the good of this college, which we tender as the safety of our own selves, for which also we know your good zeal and fervour to be much employed, we could not but say something for our own selves, in a matter which so much concerned the whole body of our clergy.

First, therefore, concerning the not present putting in execution the new rules,—we did not so repel them, as never to admit them, but to *suspend* them until we should hear from our superiors at Rome, as by our proceedings with the visitors will appear: and the motives why we made this stay was, first, because we had no good satisfaction given us by the visitors that these rules came from the pope or our protector, or that they were acquainted with them; for, by the same visitors, we understood that it was his holiness's will and pleasure that the fathers of the society should have nothing to do with this college; against

which ordinance we saw the fourteenth and sixteenth rule of those new statutes to take force, especially with the gloss of two of the assistants, Mr. Dr. Norton and Dr. Singleton: for, where it is in the sixteenth rule,—"*Et sic præses, in gravioribus præsertim negotiis, nihil nisi de consilio dictorum assistentium disponet*", they gloss and say the president must do nothing, but with their consent; which seemeth to be but a wrested exposition, yet current unto them. The fourteenth rule is, this,—"*Si aliquis in numerum assistentium vel lectorum, quacumque occasione, in futurum assumendus erit, inscio protectore non adscisca-tur; sed præses collegii, simul cum assistentibus, literis subscriptis, protectorem commonefaciant de vitâ, moribus,*" *&c.*: which rule once being in force, and our assistants, which now are, continuing in their place, we could not expect to have any hereafter to have office in our college, but such as it should please the fathers to allot us, and this house should not be free from their government: for, if our president must be governed by the assistants, and they follow the directions and counsels of the fathers, as they daily do, it consequently followeth that the fathers would have some government amongst us, contrary to his holiness's designment, as we understood. Besides, these rules seemed to have for their authors the fathers of the society; and, although their government be good in their own colleges, and amongst themselves, according to such statutes, yet, for this place, it would be somewhat odious they should invent us rules to live by, without the seeking of any of our own body, and in that form too, as though we were children, or far unfit for that end we all aim at, as may appear by the eighth rule, where none of us can speak with an extern, except he have first an arbiter appointed by his superior.

Furthermore, those statutes appeared to have been made in haste, without any great consideration, or knowledge of our state here; for the third and fifth have no good agreement between themselves. The third alloweth that one may be admitted, if he be sixteen years old, and fit for logic: the fifth denieth any to have place in the college, after he hath heard four years in divinity scholastical, or three years in moral; and we are but two years in logic and philosophy: so that, if these two rules should be practised, some should be made priest at twenty-two or twenty-three years of age, or else turned out of the college, before they had obtained their desired end.

Lastly, there were some terms in those rules, which we could not persuade ourselves had passed the view of either his holiness or our protector; as that, where scholastical degrees be called "*supervacanea cogitatio*". And, albeit his holiness, for some good respect, think it

not convenient any, as long as they be in this house, should take degrees, yet doubtless, for the honour and dignity which is to be had unto degrees in themselves, such a term would not have affected them, if his holiness had been acquainted with those rules.

These were our motives we had, not presently to put those rules in execution. For the force of our grounds, we submit them unto better judgments. For the present, by reason, partly of your letter, partly for some good satisfaction of his holiness that we are not obstinate, and partly for better obtaining Dr. Kellison's presence with us, who openly promised a mitigation, and care for the redress of divers of them, we have in some sort admitted them, and put them in execution; and we acknowledge many of them to be convenient and requisite to be put in practice. But to admit them as they are, and as things now stand with us, we cannot but think it very prejudicial to our state as yet. * * *

Concerning our confessarius, father Walpole, what stirs he hath made amongst us I think you will understand sufficiently by other means. This only I will acquaint you with, which I had from one who had some inward talk with father Walpole. He knoweth himself, and findeth too by experience, that he hath given some personal dislike to many; and therefore he saith he will labour that another may be put in his place of the same society[1]: and he said it was not convenient to have two ordinaries to hear confessions in the college; but one, upon some occasion when the ordinary were wanting, to be appointed extraordinary. Mr. Mayler is to hear, the next Sunday; and he surely will have the greater part of the house, by much, to come ordinarily unto him: so that it is very probable father Walpole, *in rei veritate*, will be the extraordinary. But he will follow his business, no doubt, very diligently at Rome, and perhaps make more stirs yet amongst us, than before. Dr. Kellison hath begun to go unto Mr. Mayler; but he will not meddle any thing with father Walpole, but permit Mr. Mayler to sit and hear those who will come unto him. That pension, the college alloweth unto the fathers for a confessarius, might well be employed in more necessary uses: we hope Mr. President and you will labour the matter exactly, and procure a redress of such an inconvenience[2].

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[1] [This he accomplished in the following autumn. See Bishop's letter to More, Nov. 5, 1613, in the "Illustrations of Dodd's Church History".—*T.*]

[2] [On the subject of this pension, Champney, writing to More in the following December, says,—"And for that other point, of the charge of the house by the confessarius, I marvel you should make doubt thereof, since he wrote it that

That the scholars deserve not those hard reports, which perhaps are there with you too common, Dr. Kellison, by his letter unto the protector, will sufficiently declare. I hope, if any thing heretofore hath passed amongst us, which may be judged by our superiors to have been without reason, or faulty, we are always prepared to submit ourselves unto them. * * God send us patience to endure with constancy such crosses as may befall us; and God stir up the hearts of all good christians to help and further the good uniting of our clergy, which now is so necessary. Thus, with my duty ever remembered unto yourself, I commit you and your proceedings to the holy protection of the Almighty. This 22nd of June, 1613.

Yours ever to his power,

JOHN MELLING.

*** *Kellison to More, August* 4, 1613.

[Original in my possession.]

My very reverend good Sir,

I wrote to you by Mr. President, how I was going to the nuncio, who entertained me with all courtesy; and, after that I had talked with him, and proposed what I thought requisite, to take away all jealousies, without prejudice of any, he sent me to Douay, promising me all assistance. I have, as you may assure yourself, proposed those things which tend to peace and unity, which we all desire, and to take away all jealousy of being governed by another body; and the nuncio hath assured me that the fathers are not to govern this college, either directly or indirectly; and they themselves acknowledge, as they told me, no such power: only, both the nuncio and they desire that this college should be no enemy, but rather keep all friendship that may be, without subjection; which no man can deny to be reasonable. I was directed to the nuncio at Brussels; and so I deal with none but him, finding him very loving and propense to give contentment. If you fear him, you may propose to others, and assure yourself you and I

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is in the college: and since, he and I talked of the same. He hath £10 sterling, and a gown or cassock, as I am morally sure I have heard. Dr. Worthington can easily tell you that" (Dec. 17, 1613. Original in my possession). In November, 1614, however, the following statute, abolishing the salary, and ordering the duties of the jesuit confessor to be performed gratuitously, was issued by the protector, cardinal Farnese,—"Collegium Duacenum liberum penitùs sit à quocumque subsidio vel eleemosynâ, hactenùs societati datis pro alimentis confessarii: mandante etenim patre Generale societatis, hoc munus gratis, ex charitate et pietate, confessarius societatis sustinebit; ita ut nihil exigi, vel etiam sponte oblatum à collegio, quod paupertate et ære alieno prægravatur, accipi, queat." MS. in my possession.—*T.*]

shall not much disagree. He, I am sure, hath written some things to Rome, but thinks not best to propose all at once; thinking it best to do things by little and little; although I replied that there might be *periculum in morâ.* * * *

I have long since caused, even at my first arrival, the rules to be received; telling the scholars that you had written to the president in the pope's name: and because they put a confidence in me, as in one that they think will moderate things with all sweetness, so far as may stand with order and the rule, they all presently, without any reply, received them, and now have long since practised them. I think to write to the protector's auditor, being very glad that we have so wise and so charitable a man about him. And so, commending myself to your holy prayers in those holy places, I bid you farewell. Douay, this 4th of August, 1613.

Yours ever assuredly,

MATTHEW KELLISON.

I have dealt much with the nuncio, fearing to be tied so, that I shall not do the good I desire.

*** *Kellison to Thomas Harley, Provost of Cambray.*

[Original in my possession.]

Good Mr. Provost,

After that you were departed, in the afternoon, I called all the assistants and scholars together; caused the nuncio's letters to be read; exhorted them to receive the rules, which I promised to moderate, so much as might stand with order, and counselled them henceforth to follow their books, their devotions, and their vocation, and not to dispute about jesuits, benedictines, &c.; for I, for my part, would make no distinction, but would love and embrace all; all being of God. But, because I have authority in the college, I desired that all should follow our vocation, and tend to our end; as jesuits and benedictines also desire that all, that are by them received, should tend to their end. "Marry", said I, "if any desire to be jesuits or benedictines, let them well examine their vocation, and then, if they come to me, they shall have all assistance I can give them." I told them that the nuncio had told me that this college was not dependent in government, neither *directè* nor *indirectè*, of the jesuits, but only of our superiors and us, and that [I] take not this government of them, neither mean to govern dependently of them: for although I will ever honour them, and yield them all friendly offices, and do not disprove their government in other colleges, yet, in this college for them to meddle, neither will get them

good will, nor us peace: but will be a cause of jarring. The scholars received the rules without any word of murmuration: they received me, the next day, into the refectory, with verses; and are so glad of my coming, that I assure myself I shall never find any resistance in them. And so, if we might be let alone, we should do well enough. I have written to the nuncio yesterday, and have urged him to put in practice some points which I proposed by word of mouth, and which, I tell him, I will send in writing shortly; and I tell him what peace already is in the college, and how this peace will impart itself to all the English clergy, if he put these things, at least some principal of them, in practice, which I suggested, and mean again to suggest. If you write to Paris, commend me to them, and tell them that I will do all I can, to give them contentment: and if they, by a modest manner, can procure any thing of our superiors, I shall be glad. *Cætera desunt.*

No. XVII.—(*Referred to at page* 53).

*** *Birkhead to Pope Paul V. July* 11, 1611.

[More's Copy in my possession.]

Sanctissime Pater,

Scio vestram sanctitatem multis distrahi occasionibus, quominùs universos per totum orbem afflictos exaudire possit. Verumtamen cum res nostræ parem, vel certè majorem cæteris mereantur commiserationem, in animum induxi ut hanc supplicationem pro episcopis inter nos constituendis, tot præjactis fundamentis, jam tandem exhiberem. Dignetur ergo beatitudo vestra meminisse, quòd ante duos ferè annos parvitati meæ mandaverit (quò pro episcopis eligendis communis singulorum consensus haberetur) ut ad vota et suffragia sacerdotum colligenda operam impenderem. In quo sanè laborioso opere ego, per annum et plus quàm dimidium, ita sudavi, ut jam supra centum ipsorum suffragia accumulaverim; eorum nempe sacerdotum, qui regimen episcopale concupiscunt: multaque alia consecuturus, nisi ingravescentis hujus persecutionis procella impedivisset. Si autem aliqui jam inveniantur, qui sanctitati vestræ referunt, plures è nostris contra nos esse, quàm pro nobis, aut nomina sua aliorum suggestione revocare, scedulas, suffragia, et literas in lucem proferant; nosque libenter cessabimus. Quandoquidem igitur hujus postulationis pro episcopis concessio tùm ad pacis, tùm ad religionis conservationem et incrementum plurimùm profutura sit, atque, è contra, sine tali remedio certissimum sit nihil apud nos, vel ad ædificationem aliorum, vel ad fidem conservandam, aptum et accommodatum fieri posse, à sanctitate vestrâ omni submissione primùm deposco, ut non tantum hunc nostrum

laborem boni consulere, sed etiam quod petimus annuere velit. Sin autem, rejectis cunctis suffragiis tot sacerdotum, vitas suas pro fide periclitantium, aliud prudentiæ vestræ visum fuerit, necesse est ut vestro judicio remaneamus contenti, et, tantum infortunium patienter ferendo, in summo dolore panem nostrum comedamus. Deinde hoc unum beatitudini vestræ notum esse percupio, quòd, quantumvis hoc medium, tanquam nostris conatibus utilissimum, tam seriò præsumpserim exposcere, non mihi tamen unquam in mentem venerit, ut meam imbecillitatem in tanto negotio respiciendam curarem. Neque enim (teste Christo Domino Redemptore nostro) tali dignitate insigniri unquam desideravi, neque in conscientiâ eas laudes vel agnoscere vel approbare possum, quas dicti sacerdotes de me protulerunt. Scio namque tanto muneri me prorsùs imparem et inidoneum, cum ad hoc, quo jam premor, rectè obeundum vires nunquam suffecerint. Vellem itaque potiùs, si id mihi vestrâ benignitate liceat, ut, eo in vestræ beatitudinis manus resignato, aliquo in antro, senectutis infirmitatibus labefactatus, quietiùs delitescam. * * *

Vides jam, beatissime pater, quomodo affligimur. Digneris tuis nos auxiliis consolari: exhilara filiorum obsequentissimorum mentes, ut fiducialiter agant, et animo robusto, propter ecclesiæ honorem, mala quæcumque perferant: alioqui, ut uno verbo quæ vellem dicere complectar, ipsi, nimiùm contristati, in summum discrimen adducentur, &c. Datum die 11 Julii, 1611.

Beatitudinis vestræ
Humillimus et obsequentissimus filius et servus,
GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter Indignus.

*** *The same to the same, Aug.* 15, 1611.

[More's Copy in my possession.]

Sanctissime et Beatissime Pater,

Cum, juxta mei muneris institutum, summo desiderio, maximoque conatu nihil pro viribus omiserim, quod collapsæ pacis redintegrationem promoveat, nescio quomodo Satanas, humani generis hostis, acerrimis suis astutiis, necnon et alii complures illius impulsu, opus tam necessarium quominùs perficeretur malitiosè impedierint. Duo siquidem mala quotidie occurrunt, tanti ponderis negotio (proh dolor!) maximè adversantia. Primum est hoc iniquum juramentum regium, de quo præstando ditiores catholici (ne omnia penitùs deperdant) tot evasiones adinveniri curant, tot sensus quæri, ut apostolicorum brevium, vestræque præceptionis meis admonitionibus satis patefactæ, nullo

habito respectu, non tantùm illud suscipere non vereantur, sed et eos qui, conscientiæ rectæque fidei sano prætextu, Romanæ ecclesiæ dignitatem ad eum modum maculare pertimescunt, inconsideratos simplicesque judicent. * * * Ex hujusmodi profectò opinionum varietate, aliis conniventibus, aliis justo zelo tam execrabiles errores improbantibus, necesse est ut in schismata periculosissima breviter incidamus, vestra ni beatitudo, pro suâ pietate atque prudentiâ, nostram in miseriam oculos conjiciens, rem adeò detestabilem citò è medio tollere sataget.

Atque hinc secundum malum effluere facilè suspicamur. Cum enim fratres mei tot vicibus potestatem episcopalem ex corde diù expetierint, allaque media, tanquam huic vulneri sanando medicinam accommodatissimam, inter eos constitui efflagitarint, eaque cuncta aliorum falsis calumniis et insusurrationibus supprimi prorsùs jam perceperint, ita molestè hoc ferunt, ut aliqui eorum frigidiùs quàm decet tùm curiam illam venerentur, tùm sedi apostolicæ reverentiam debitam (quod dolenter scribo) negligentiùs exhibeant. Nihilominùs tamen omni diligentiâ hucusque ego in hoc incubui, eos ut reddam quietos et obedientes; Deoque adjuvante, major secuta est tranquillitas, et adhuc etiam durat, quàm initio sperare potuimus. Dicti autem mali quinam extiterint auctores, quive hanc nobis maculam asperserint, protinùs ignoramus, ni fortè hoc illis impingere liceat, qui, librum, satis nervosè à D. Smitheo adversus hæreticos perscriptum, occultè sacro officio examinandum tradentes[1], visi sunt, tùm ut illum, tùm nos etiam qui illum commendavimus, eo modo summâ ignominiâ afficerent, anhelasse. Quæ sanè paucorum pravitas, aliis insuper circumstantiis velata, tantam in hujusmodi susurrones meorum animis infixit displicentiam, meas ut planè superet vires eos ad concordiam optatam attrahere, aut ullâ ratione efficere ut ipsis fidem adhibeant, donec constare poterit illos neque manifestè neque occultè se nostris negotiis immiscere: hoc enim semel perspecto, omninò certum est ut à nobis diligantur, et familiariùs pertractentur: nam non est inter nos exorta tanta inimicitia, quin facilè, si ipsi volunt, finiri possit. Supponamus autem (uti ipsi frequentiùs ingerunt) bonâ sincerâque fide illos nobiscum semper egisse, charitatemque suam verè et ex animo ad utilitatem nostram exercuisse, hoc tamen fecisse, nobis invitis, atque de illorum fide nondum persuasis, vix ulla ratio adferri potest quæ nos ad talem charitatem accipien-

[1] [The Answer to Bell's Downfall of Popery, which, as the reader will recollect, had been denounced to the inquisition by Persons and his friends, in 1609, and had now a second time been brought under the notice of that body. Smith's memorial, on the present occasion, will be printed hereafter in connection with his life.—*T.*]

dam justè permoveret, donec priùs hunc scrupulum, aut ab injuriis clam inferendis abstinendo, aut pro talibus illatis satisfaciendo, animis nostris eripuissent. Porrò nostrates, quos hac in re præsertim suspicamur, neque antiquitate, neque eruditione, neque bonis moribus tantoperè præcellunt, quin ex meis quamplurimi cum ipsis pro præsenti in omnibus æquandi sint: quinam autem istorum loco postea successuri sint, cum omnis spes rectè educandi juvenes ferè ablata sit, divinæ Providentiæ vestræque paternæ curæ relinquendum censeo. Unde cum et numero longè pauciores, et literaturâ haud superiores pro certo à multis habeantur, nulli mirum videri debet si ab ipsis molestè feratur, eorum nos curæ, qui alterius sunt ordinis, ita subjici, ac si nihil, nisi ipsis consciis et cuncta moderantibus, à nobis constitui debeat vel determinari. Cæterùm non tam odiosa est ista nostra contentio, quàm à multis, ad odium nobis concitandum, diffamari solet. Nam tùm nos, tùm illi, quærimus justitiam et pacem: osculentur itaque hæc duo, et ex utrâque parte amicitia firma illicò inter nos contracta erit. Scio sacerdotum discordiam rem esse detestandam; atque ideo obnixè obsecro sanctitatem vestram boni ut consulat, si rudiore stylo hujus nostræ discordiæ causas, ut à me observatæ sunt, aliquatenùs patefecerim: quod sanè lubentiùs egi, quoniam spero prudentiam vestram facilè ex dictis colligere posse qualem filiis suis obsequentissimis opem, qualemque vulneribus adeò purulentis applicet medicinam. Quapropter, flexis genibus, et ad pedes sanctitatis vestræ humillimè provolutus, clementiam vestram in visceribus Christi exoro, ut mihi hæc pro fratribus suggerenti fidem adhibere dignetur, atque tot sacerdotes in fide catholicâ adhuc constantes, juramentoque regio viriliter resistentes, propter paucorum occultè murmurantium incertas relationes, ne dejiciat, neque sinat, obsecro, eos in discrimen adduci. Detinentur Londini, in uno carcere, tresdecim sacerdotes sæculares[1]; in altero Joannes Colletonus, assistens, cum quinque vel sex aliis; et D. Bishopus, sacræ theologiæ doctor, unusque etiam ex assistentibus meis, in tertio. Non solùm hi omnes, juramentum absolutè negando, præclaram et ab omnibus laudatam rectæ fidei confessionem fecerunt, sed et reliqui etiam universi per provincias constituti eandem sortem (Deo adjuvante) subire parati sunt. Imò et majore alacritate illud perficere studerent, si vestra beatitudo, pro suâ benignitate, eo nos exhilararet favore, ut episcopali regimine jam tandem gubernemur. Nunc enim, quasi extra disciplinam positi, facimus unusquisque quod sibi videtur. Quæ mihi,

[1] [See their names in vol. iv. Append. ccviii. of this history. One, however, was a franciscan.—*T.*]

jussione vestræ benevolentiæ, communicata est auctoritas, ad sacerdotes tantùm sæculares pertinet, quos tamen in aliquibus vix cohibere valeo; et multò minùs laicos, qui, præpositis suis minimè subjecti, nisi in foro conscientiæ, in quamplurimis ad justitiam spectantibus gravissimè errant.[1]

At objiciunt nonnulli, concessis episcopis, incrementum persecutionis,—sed gratis: nam tantâ securitate est firmatus iste status, ut illos non magis quàm simplices sacerdotes pertimescat. Ingressus sanè patrum societatis, et archipresbyteri institutio magistratum ad iracundiam egregiè provocarunt; sic fortè episcoporum admissio: verùm sicut illam iracundiam, ita etiam et hanc, divino auxilio fulti superabimus. * * * Quò autem clementia vestra meorum postulata perfectiùs inspiciat, vota atque suffragia supra centum sacerdotum ex clero sæculari collecta ad sanctitatem vestram transferenda curavi, ut ei pleniùs innotescat quot sacerdotes, optimè meriti, unanimi con-

[1] [The following curious document will shew that the inefficiency of this imperfect authority actually suggested to Worthington the possibility of superseding the archpriest, and of obtaining for himself the whole government of the mission. The paper is copied by another hand, but it is corrected by Worthington, and bears, in his own writing, the following title,—"*An extract of my letters to Mr. Fitzherbert, the second of May*, 1611."—"Yet I have another matter," says he, "of great importance, long thought upon, and maturely to be considered. We feel still more and more troubles, for want of an head to make union amongst priests of all seminaries pertaining to the mission. Every other order hath their own head, saving perhaps the benedictines; and they, finding inconvenience of the want, seek to have a remedy. The archpriest pretendeth interest over all, but hath not that authority. Myself challenge no more than I have, to wit, over this house, whiles the priests are here. A number in Paris, Antwerp, and other places, are under no superior but his holiness; for they hardly acknowledge our protector for their superior. For all this, his holiness most wisely, for causes, known partly to us, especially to himself, hath decreed, '*nihil esse innovandum*'; but the inconvenience remaineth and groweth. I cannot but lament it. It cometh often and seriously into my cogitation that *ab initio non fuit sic*. Wherefore, seeing his holiness's wisdom, and our other superiors', will have no innovation, for God's sake we must pray them to make a renovation,—*ut dignentur renovare, restituere, et confirmare antiqua*, discharging me of solicitude which is too great for my weakness. *We must beseech them to restore and maintain again the president of the English college of Douay head of all priests, except religious orders, pertaining to the English mission.* Not only Dr. Allen, but also Dr. Barret" (of the latter this was not true) "had and supplied that place and authority, till there was an archpriest constituted, who also was ordained to correspond with the president: but indeed the body was by this means divided. And so long as Mr. Blackwell bare the office, he and my predecessor and myself agreed so well, that the inconvenience appeared not. Now the archpriest molesteth me. I seek all peace with him, and cannot get it. For God's sake procure me to have rest, and propose to our superiors to constitute or restore one superior. Whosoever it be, either the archpriest or whosoever, I shall most willingly obey him: but, *si antiquum obtineat, it must be the president of this college.* Sic nihil innovabitur, sed antiquum renovabitur, et stabilietur." Original MS. belonging to the Dean and Chapter.—*T.*]

sensu deposcunt episcopos: sed neque hi solùm, verùm et longè plures existunt, tùm eruditione, tùm prudentiâ vitæque probitate satis conspicui, tàm clerici quàm laici, qui hunc ordinem hierarchicum, uti ecclesiasticorum et laicorum regimini spirituali consentaneum (etiam durante istâ hæreticorum dementiâ), æquè solicitè expetunt: quorum nomina atque suffragia similiter transmisissem, nisi quòd, in perquirendis illis quæ jam allata sunt, tantam molestiam (regnum percurrendo, et difficultates cunctas superando) pertulerimus, ut planè defatigati, temporisque injuriâ præpediti, ab illo labore cessaverimus; sperantes, ex eo quod fecimus, futurum ut sanctitas vestra omnium nostrûm inclinationes hoc modo cumulatissimè persentiat. * * * Divina misericordia beatitudinem vestram semper servet incolumem. Datum Londini, 15 Augusti, 1611.

Beatitudinis vestræ humillimus servus,
Et filius obsequentissimus,
GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter indignus.

*** *Edward Bennet to Pope Paul V. June* 13, 1611.

[More's copy, in my possession.]

Beatissime Pater,

Etiamsi literæ, nuntia, necnon supplicationes frequentes, ex eo tempore quo divinæ providentiæ placuit te ad summam pontificatûs dignitatem provehere, à reverendissimo archipresbytero, superiore nostro, reverendisque fratribus, ad sanctitatem tuam ablegatæ, meam parvitatem à scribendo retardare potuerint, præsertim cum multiplices conatus tuos, adhuc cardinalis cum esses, ut, præsens in collegio, dissentientes ad concordiam reduceres, absensque inter nos, hìc a te longo intervallo remotos, simultates dirimeres, experientiâ cognoverim; tamen cum in coadjutorem superioris mei fuerim cooptatus, me excusatum reputavi, si, ad pietatis tuæ sanctissimos pedes per has literas meas prostratus, angustiis nostris levamen aliquod deposcerem, animamque tuam ad miserationem adducere laborarem.

Mihi in animo non est calamitatum nostrarum causas atque radices coram oculis tuis proponere (etiamsi hoc proposito nostro forsitan multùm conduceret), ne sanctitati tuæ, totius reipublicæ christianæ ærumnis conflictatæ (quis scandalizatur et tu non ureris?) nimiam molestiam inferrem. Hæ tibi sæpiùs à nostris repetitæ sunt. Remedia tantùm ad hæc mala reparanda petimus humiliter, medicinam obsecramus. Fer præsidium labenti populo: ecclesiæ Anglicanæ, in summâ extremitate laboranti, opitulare;—quod nullâ meliore ratione præstare poteris,

quàm si jurisdictionem ordinariam et canonicam, per episcopos scilicet, nobis præfeceris. Hos constituit Christus Dominus principes super omnem terram: hi in omnibus persecutionibus, quibus a nativitate Redemptoris laboravit ecclesia, tanquam invictissimi duces, fidelibus christianis semper consolationem præbuerunt. Quare a clero naturali quasi cum obedientiâ et reverentiâ fuerunt observati, laicis omnibus gratissimi. His septuaginta ferè annos terra nostra orbata, apparuit arida atque deserta ecclesia, quasi vidua facta viro, et nos qui pastores sumus, dum harum ærumnarum recordamur, sedemus gementes et flentes in hac lachrymarum valle.

Religiosi, qui nobiscum hìc in eâdem messe desudant, hac difficultate sedem apostolicam supplicandi, ut superiores scilicet, penes quos summa regiminis ex religionis præscripto maneat, obtineant, minimè gravantur; ita ut omnes cogitationes atque vires, nisi imprudenter se rebus nihil ad religiosos pertinentibus immisceant, contra veritatis persecutores impendant: nos verò, sacerdotes sæculares, in literis conscribendis, suffragiis colligendis, necnon pecuniis comparandis (quæ summâ cum difficultate corrogantur, eò quòd nihil habemus nisi ex eleemosynis catholicorum quos hæretica pravitas miserè deprædata est), ad eorum sumptum deferendum quos ad sanctam sedem pro hac regiminis formâ, quam Christus ipse nobis designavit, amandamus, ita opprimimur, ut plus incommodi hinc, quàm ab hoste communi increscat. Divisa est virtus nostra in se: cum enim contra percussorem inimicum animos dextrasque parare debeamus, ad hanc jurisdictionem impetrandam omnes vires intendimus: in quo negotio cum nos despectos conspiciamus, quid restat nisi quòd, tanquam consternati animo, despondeamus, fatigatique spem omnem aliquid obtinendi abjiciamus?

Parcat, sanctissime pater, quòd cleri Anglicani statum tam incultâ oratione coram te ita deploraverim. Factus sum mihimetipsi gravis, eò quòd viderim nos factos opprobrium hominum, et abjectionem plebis; et scio quòd facilè ignosces. Quanquam enim me tua terreat majestas, humanitas tamen, quâ gentem nostram semper complexus es, mihique diù comperta, dum collegii Anglicani confessarius, alumnorum causam per biennium, singulis septimanis, apud beatitudinem tuam, te præcipiente, agerem, invitat. Utinam servus tuus eandem gratiam in conspectu tuo inveniret: hanc optatam benedictionem nos consecuturos non dubitarem. Tu es Petrus. Confirma servos tuos: noli despicere animas pro quibus mortuus est Christus. Ecce, ad pedes sanctitatis tuæ provolutus jaceo: non dimittam te, donec benedixeris mihi.

Nolo coram oculis tuis particularia quæque proponere: hoc unum expedire sufficit, necessitatem scilicet jurisdictionis ordinariæ, quâ im-

petratâ, cætera omnia facilè subsequentur. Nolo incommoda quæ per aliquorum oppositiones, ad quos res nostræ nihil spectant, in ipsâ Romanâ curiâ continuò patimur, recensere: comperta hæc tibi sunt et explorata. Nolo denique referre quàm parùm afflictos sacerdotum animos reverendus dominus Richardus Smitheus in reditu recreaverit, vel solatio affecerit, cum ne unam quidem secum benedictionem à sancto patre, post tot labores, pericula, atque supplicationes, suis fratribus attulerit. Sed hoc à sacerdotibus nostris, an rectè nescio, attribuitur (ignoscat ad pedes tuos prostrato, si eandem scribendi libertatem assumpsero, quam clementia tua in præsentiâ loquendi dare solebat) illustrissimi cardinalis Blanchetti cum patribus jesuitis necessitudini; ad quorum arbitrium nutumque in rebus nostris promovendis apud sanctitatem tuam se totum accommodat:—sed ista tuæ benignitatis providentiæ relinquimus. Hoc tamen humiliter peto, ut secum recolere dignetur quo modo ob suspicionem habitam a Clemente octavo, bonæ memoriæ, quòd cardinalis Sega, dum collegio tanquam viceprotector præsideret, non omnia candidè illi referebat, seque in patres societatis propensiorem quàm in alumnos præberet, primò cardinalem Tolletum, cujus memoriam sempiternâ benevolentiâ venerabimur, propter suam æquitatem, protectorem designavit[1]: quo ab hac luce transmigrante,

[1] [Cardinal Tollet was a Spaniard by birth, who, at the age of twenty-six, entered the society of Jesus, and became afterwards one of its most splendid ornaments. In 1559, he was sent to Rome by St. Francis Borgia; became professor of philosophy and divinity in the jesuit college of that city; and, having recommended himself by his eloquence to the notice of the court, was, in 1569, selected by Pius the fifth to fill the office of apostolical preacher. In this capacity he continued to act, for the space of twenty-four years, admired and beloved by all who knew him, when, at length, Clement the eighth, charmed with his character and sensible of his worth, insisted on rewarding his merit, by raising him to the dignity of the purple. By the society, the proposal was deprecated, as an infringement of its rule: by Tollet himself it was strenuously opposed, as calculated to withdraw him from those pursuits, to which he had consecrated his life. The pontiff, however, looked to the benefit which religion would derive from the intended promotion; and, on the seventeenth of September, 1593, Tollet was solemnly enrolled among the members of the sacred college. It was on the occasion of the disturbance in the English seminary, in 1596, that the office of protector, alluded to by Bennet, was conferred upon him. Unfortunately, however, he lived only a few months: a short illness terminated his life, in the following September; and father Persons, in revenge for his having discouraged the Spanish faction in the seminary, recorded his name and his death, in a paper which still bears the following title,—"An Observation of certain apparent Judgments of Almighty God against such as have been seditious in the English catholic cause, for these nine or ten years past." The paper is in the Stonyhurst MSS. (Ang. A. ii. 44): for an account, however, of the learning, the virtue, and the ardent piety of this distinguished and amiable prelate, see Ciaconius, ii. 1872; Southwell, Biblioth. 258, 259; and the numerous authorities cited by them.—*T.*]

constitutus es et tu, pater beatissime, quo protegente, siluerunt turbæ, et, omnibus pacatis, facta est tranquillitas magna.

Sed quorsùm ista tam longo repetita principio ?—Ut, videlicet, sanctitati tuæ hæc memoriâ repetenti innotescat quàm necessarium sit protectorem habere benignum et cleri sæcularis studiosum. Importunus sum nimis forsitan. Importuna in evangelio mulier tandem meruit audiri. A summo sacerdote victimam salutis, a pastore præsidium ovis, flagito ; et ut cum sancto Hieronimo dicam, facessat invidia, Romani culminis recedat ambitio ;—cum successore piscatoris, et discipulo crucis loquor. Quamobrem, omissâ verborum compositione, obtestor beatitudinem tuam, per amorem quo afflictissimam gentem hanc semper prosecutus es ; per providentiam illam, quâ populorum omnium curam habere teneris ; per authoritatem sanctæ sedis, cujus privilegia tot sæculares sacerdotes usque ad sanguinis effusionem propugnarunt ; per necessarium fidei nostræ decus ; per crucem Christi Domini, imò per ipsum crucifixum ; denique per rationem quam de animabus nostris in die judicii redditurus es, ut quæ à superiore nostro cum sacerdotibus suis, tanquam nobis necessaria, toties petita fuerunt, tandem concedas, atque ecclesiæ Anglicanæ sponsum proprium reddas. Interim Deum Opt. Max. precabimur ut sanctitatis tuæ viscera ad misericordiam inducat, ecclesiæque suæ sanctæ incolumem diutissimè conservet. Datum Londini Id. Junii, 1611.

Sanctitatis tuæ servus humillimus,
Edwardus Bennettus,
Sacerdos Anglus et Assistens.

*** *Smith to Pope Paul V., July* 15, 1611.

[More's Copy in my possession.]

Ecce jam, beatissime pater, sæcularium sacerdotum in Angliâ de episcopis creandis suffragia, non pretio, prece, aut ambitu, sed spontaneâ ipsorum voluntate, quanquam non sine maximis periculis ac difficultatibus ob persecutionis acerbitatem, collecta. Ex iis vestra sanctitas, et quod sit cleri Anglicani de episcopis creandis judicium, et quos potissimùm plerique sibi præfici cupiant, liquidò intelliget. Ac plura quidem collecta fuissent, nisi et persecutio, et incerta ac longinqua quorundam sacerdotum habitatio obstitissent, et hæc ad cleri nostri mentem hac de re intelligendam sufficere visa fuissent. Vestræ jam prudentiæ erit judicare utrùm tot talesque sacerdotes, quorum nonnulli supra triginta annos in vineâ Anglicanâ pondus diei et æstus tulerunt, an pauculi alii quorum aliqui vix à triginta annis Angliam viderunt, certiùs norint quid Anglicanæ ecclesiæ expediat ; an tot ac tales sacer-

dotes, quorum nonnulli in vinculis agunt, mortem in menses expectantes, duo etiam martyrio functi sunt, postquam suffragia sua pro episcopis creandis dederant[1] (ut omittam supra centum viginti socios ipsorum intra hos triginta annos illustri martyrio coronatos), omnes pro patriæ conversione in continuis vitæ periculis degunt, postulaturi aliquid sint, quod charissimæ patriæ suæ obesse, vel non certè prodesse, arbitrentur? Facessat ambitionis suspicio, quæ in totum, talem præsertim, clerum cadere non potest. Disquiratur nùm huic suspicioni illi potiùs obnoxii sint, qui, episcopis constitutis, vel dominatum vel gloriam suam imminutam iri formidantes, de episcoporum creatione non libenter audiunt. Vestræ etiam benignitatis erit decernere, nùm velit, tot et tam benè meritorum filiorum justis postulationibus annuendo, eos ad fortiùs agendum excitare, an, postulata eorum negando, ipsorum animos dejicere. Quicquid vestra sanctitas decreverit, filii vestri erunt, ipsique parebunt: interest tamen plurimi, ne gementes id faciant, et tenerum illum et filialem, quem hactenùs erga vestram beatitudinem gesserunt, amorem deponant. Ac penè mihi persuadeo quòd pauculi illi sacerdotes, qui juramentum regium quod fidelitatis dicunt susceperunt, ac hactenùs defendunt, non eo usque prolapsi fuissent, nisi priùs (ex falsâ persuasione quòd sedes apostolica non eâ quâ par est paternâ charitate eos amplectatur) pia quam anteà erga eam sanctam sedem gerebat affectio immutata fuisset. * * Cæterùm ubi omnis penè authoritas exulat, quid mirum si disciplina jaceat, si aliqui insolescant? Ubi nec murus est nec antemurale, quid mirum si ipsa arx, hoc est, ipsius apostolicæ sedis authoritas, impugnetur, quæ apud nos nullo modo securiùs quam episcopalis authoritatis objectu, quasi muro, defendatur? Ac valdè vereor ne suo dolore sanctitas vestra sentiat se nimiùm tardè episcopos nobis concessurum :—atque utinam in hac re falsus vates sim! * * * Deus Opt. Max. beatitudinem vestram quàm diutissimè servet incolumem. Londini, 15 Julii, 1611.

Beatitudinis vestræ humillimus servus,

RICHARDUS SMITHEUS.

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[1] [Roger Cadwallador, and George Nappier, the former put to death on the twenty-seventh of August, the latter on the ninth of November, 1610. Cadwallador's name is attached to the memorial from Wales; Nappier's to that from the Oxford district. A few days before his death, Cadwallador wrote to John Bennet, requesting that the prayers of his brethren might accompany him in his last conflict, and authorising his correspondent to attach his signature to the memorial. More's copy of the letter, in my possession.—*T.*]

No. XVIII.—(*Referred to at page* 54.)

*** *Colleton to Pope Paul V. August* 16, 1612.

[Extract from More's Copy, in my possession.]

Beatissime Pater,

Annus jam agitur tricesimus septimus, à quo primùm à Duacensi seminario sacerdos missus fui in ecclesiæ Anglicanæ vineam; vixique, præsertim per annos hosce plurimos proximè elapsos, in ejusmodi locis, eorumque sum usus amicitiis (gratias ago omnipotenti Deo qui ita disposuit), ut, si quis alius ex universo clero nostro, et ego etiam, qui, uno dempto, sum omnium in Angliâ seminaristarum antiquissimus, commoditatem habui (absit verbo gloriatio) ad plenam rerum omnium notitiam pervenire, quæ afflictæ ecclesiæ nostræ statum quoquo modo contingunt: quod non dico, ut me alicuipiam anteferrem,—nihil minùs: sed ut eò efficaciùs sanctitati vestræ fortè persuaderem eam meis dictis fidem adhibere, quam cani mei, quam plurium ærumnarum perpessio, quam experientia diutina, nec injuriâ expectare, nec immeritò sibi vendicare videri possunt.

Scit vestra sanctitas in quam vastum mundanarum miseriarum pelagus nos Angli nosmetipsos spontè conjicimus, cum, presbyteri facti, in patriam revertimur. * * Sacerdotes, qui apud nos solent tenuioris fortunæ homines (illi autem cæteros catholicos numero longè superant) invisere et erudire, sæculares sunt ut plurimùm. Ii, dum necessariò, hac occasione, itinera multoties capessunt, in magistratûs manum sæpiùs quàm religiosi incidunt, et capti è medio tolluntur citiùs, utpote quibus non est pecunia, neque amicus ullus præpotentior, cujus operâ clandestinâ periculum capitis amolirentur. Est ipsum porrò mortis genus, quo sacerdotes, velut proditores, afficiuntur, valdè ignominiosum, terrificum, et, si quod aliud, fœdum. Damnati enim super crate, sive trahâ, ad locum supplicii equis raptantur, ubi ignis, quo viscera cremanda sunt, juxta patibulum coram præparatur. Illic paulisper suspensi, reste reserato, semineces decidunt; cadentes eos tres vel plures carnificis socii protinùs excipiunt, et super tabulâ macellariâ divaricatum supinant; subuculam detrahunt; in extensi divaricatique nudum corpus sævit ferro carnifex; reluctanti verenda primùm amputat, et in flammas abjicit; ventrem dehinc mutilati invadit; in spirantis, imò quandoque et loquentis, viscera cruentatum cultrum atque manus immergit, evulsaque intestina rogo præsenti mandat; et post extractum monstratumque frequentissimo spectaculo, velut nefarii proditoris, cor, immolati caput abscinditur, et truncus in quatuor frustra securi dividitur, quæ, postea in aheno semicocta, volatilibus cœli, hominum-

que visibus, quà frequentiùs itur, exponuntur.—Imò adeousque exosum est in Angliâ sacerdotis nomen, ut et periculum creet, et omnibus suis necessariis et amicis notum inurat. Postremùm, nullis omninò gaudent ecclesiasticis beneficiis, sed tantùm ex puris vivunt eleemosynis; eorum autem multi in magnâ paupertate, si non etiam in rerum planè necessariarum penuriâ haud vulgari.

Cum ergo ipsa tempora, in quæ reservavit nos divina providentia, et hæc et multa alia perpessu haud levia nobis imponant, qualia sunt intra latebrarum angustias concludi, ab hominum cœtu penitùs segregari, absque ullo vel liberioris ætheris vel corporum exercitationis beneficio, et nihilominùs horatim metuere ne ab irruentibus subministris subitò prehendamur, aut ne hominum perfidiâ atque etiam domesticorum ultrò prodamur, nos adeò oppressi, atque adeò undique irretiti, iterùm atque iterùm a vestrâ sanctitate, quâ potuimus vehementiâ, ob uberius nostrum consolamen et commodiorem directionem, supplices petimus id genus regiminis quod Salvator noster instituit, et ecclesiæ suæ perpetuandum commendavit; quod et in omnibus permansit persecutionibus (quantùm ex historiis memini) ubicumque illustris quædam et latè fusa catholicorum multitudo vixit,—hâc nostrâ infelicissimâ patriâ solummodò exceptâ! Quæ omnia sicut preces nostras olim reddiderunt, et nunc etiam multò reddunt æquiores, ita eædem non concessæ majore nos afficient tristitiâ, cum propter Dei causam tot sustineamus labores, et sub talibus ingemiscamus miseriis. * *

Causæ igitur, quibus petitionem nostram pro episcopis habendis instaurare suademur, sunt scilicet, ut lapsa restituatur disciplina, ut ordo stabiliatur, ut obedientia crescat, ut dissentiones radicitùs evellantur, ut æterna veritas feliciùs propagetur, ut operi sancto uniformiter incumbamus, ut multa catholicorum millia, qui episcopos valdè vellent, solamen ac robur inde capiant, majoresque in omni virtute progressus faciant. Nec quisquam mortalium, cui rerum nostrarum status, et hominum in Angliâ mores probè cogniti sunt, contrarium potest propugnare. * * *

Certum est, neque inficiare quisquam potest, eos, qui nostræ pro episcopis adipiscendis petitioni adversantur, religiosorum esse apud nos quosdam, præsertim jesuitarum, et ejusmodi illorum ex laico ordine devotos amicos quos societatis suæ claritudine, et pauculos ex clero quos largitionibus et promissis, sibi ad id devinxerunt. Quòd si cum bonâ sanctitatis vestræ veniâ mihi fas fuerit conjicere cur nostris hac in re desideriis minùs faveant, duas præcipuè causas esse puto;—unam, suspicionem scilicet, aut certam potiùs quam intra se fovent persuasionem, dignitatem suam, et eleemosynarum affluentiam, simul et aucto-

ritatem, quibus nunc tanquam maximè conspicui fruuntur, appellentibus hùc episcopis, haud parùm velle labefactari atque imminui; alteram verò, jurisdictionem, cui, extra collegiorum suorum claustra viventes, necessariò fient obnoxii. * * *

Duo sunt quæ plurimos viros intelligentes mirari faciunt,—unum, quòd, cum sanctitas vestra tot centena millium passuum ab Angliâ absit, generali porrò familiæ Dei, ubiubi per orbem terrarum dispersæ, solicitudine destineatur, vellet, quanquam in ipsâ Româ, sede vestrâ propriâ, vicarius adsit episcopus, penes se retinere immediatam ecclesiæ nostræ gubernationem, nullos inter nos substituendo episcopos, qui, curarum participes, longè cum majore commodo et applausu nostra possent dirigere atque expedire negotia, è quibus plurima sunt magni ponderis, et sæpenumerò ejusmodi, quæ tam longinqui itineris moras neutiquam patiuntur.—Alterum, quod et propemodùm stupefacit, est mira illa solennis et continua difficultas, in quam sæculares sacerdotes, hierarchici fundamenti ecclesiæ pars quota, impingimus, si aliquid à vestrâ sanctitate supplices petamus, quantumvis illud idem nobis aliisque prudentibus viris, ad ecclesiæ nostræ salutem, si non etiam ad ejusdem vitales spiritus conservandos, facere videatur; è contra, summa felicitas quâ fruuntur jesuitæ, quandocumque penalem aliquam aut inutiliter gravem jussionem aut decretum in nos inducerent. * * * Luce clarius est, ab optimi cardinalis Alani morte (quæ dissentionum ipse fuit apud nos natalis dies), quosdam in hoc regno patres societatis Jesu sedulò operam dedisse sæcularem clerum suo hìc subdere imperio, et nostræ ecclesiæ navem gubernare. Neque certè verisimile est eos illud desiderium omninò exuisse. Unus enim, qui hìc inter doctissimos sui ordinis habetur, mihi ipsi disertis verbis seriò atque iteratò affirmavit, idque post præsentis archipresbyteri constitutionem, *oportuisse suam apud nos societatem nostrum superiorem nominare et commendare!*

He then proceeds to notice the objections usually urged by the opponents of the clergy against the appointment of bishops; speaks of the abuses resulting from the present system, and, in particular, of the illiterate missioners, sent forth by the fathers from the seminaries, to disgrace the secular priesthood; and thus concludes,—

Finem denique ut faciam, si aliquid eorum, quæ hìc inter supplicandum protuli, vel nimiam dicendi libertatem sapere, vel conceptam in quemlibet offensionem arguere videbitur, in genua provolutus, à vestrâ beatitudine quàm dimississimè oro obsecroque, ut (quod res est) conscientiæ in me veritatis, bono postremùm patriæ, et vestræ per omnia satisfactioni ascribatur; non autem mordaci alicui aut animi mei

quantulæcumque impotentiæ. Nam certè, teste animâ (cui inter asseverandum nitor), nulli mortalium malè volo, omnibus autem per universum orbem religiosorum cœtibus valdè benè, jesuitarum verò imprimis. Me quidem, cujus vitæ fomes jam diù fatiscere incœpit, ad vestram sanctitatem scribentem, eò minùs decuit vel reticere, vel simulare, vel dissimulare quicquam, sed dolores, necessitates, angustias, cogitata, desideria, rationes, omnia denique nostra singulari sanctitatis vestræ discussioni, commiserationi, et supremæ authoritati plenè, planè, et luculenter exponere. Quod cum ego, pro virium tenuitate, fecerim, plura adjicere supersedeo; manibus interea animoque ad Deum Opt. Max. elevatis, ut vitam det sanctitati vestræ longam et beatam, singulari scilicet ecclesiæ suæ universalis utilitati, &c. — Ex vinculis meis, Londini, Aug. 16, 1612,

Sanctitatis vestræ servus humillimus,

JOANNES COLLETONUS.

No. XIX.—(*Referred to at page* 55.)

*** *Jesuits' Memorial against the appointment of Bishops.* 1612.

[MS. in my possession.]

Rationes ob quas præcipui catholici creationi episcoporum adversantur.

Sæpissimè jam proposita fuit episcoporum in Angliâ creatio, et semper hactenùs à sede apostolicâ rejecta: neque nunc tandem aliquid novi proponi potest, sed multò plures rationes in contrarium, ut infrà videbitur.

Having mentioned the establishment of the archpriest, the mission of Bishop and Charnock in 1598, *and that of Mush, Champney, and the other appellants, in* 1602, *it proceeds,—*

Paulo post, anno 1606, ex prædictis duo, nimirùm Cecilius et Champneus, eâ solâ de causâ Romam missi, à fratribus, ut aiebant, septuaginta circiter (quorum nominibus subscriptam commissionem ostentabant, ex quibus tamen nonnulli postea negabant penitùs se vel consensisse unquam ejusmodi commissioni), ut episcopos peterent, ex indulgentiâ admissi fuerunt; et à sacrâ congregatione sancti officii, audiente et referente illustrissimo cardinale de Bubalis, omnibus discussis ac perpensis, benevolè quidem dimissi sunt à suâ sanctitate, re tamen ut priùs infectâ, et denegatâ postulatione. * * *

Anno postea 1610, cum in sacrâ congregatione sancti officii sua sanctitas determinasset omnia quæ à doctore Smitheo fuerant proposita, illud etiam statuebat, velle se nihil in posterùm de iisdem, vel aliis ullius momenti rebus ad innovationem spectantibus, sibi proponi, nisi

priùs de illis habito universali catholicorum consensu : quod unum suæ sanctitatis decretum si observetur, et quies ab importunis postulationibus secura obtinebitur, ut experientia trium ferè annorum jam satis docuit, et difficilè in concedendâ ullâ postulatione errabitur. Contra verò, si post tot decreta et responsa summorum pontificum de unâ eâdemque re, factâ etiam speciali prohibitione de iterùm proponendo nisi cum certis conditionibus, admittantur facilè eædem res ad novam consultationem, et nulla spes erit quietis, et non tantum deferetur quâvis aliâ in re voci summi pastoris, quantum conveniret communi bono ecclesiæ, præsertim Anglicanæ, in quâ tam multi jam sunt, qui non verebuntur omni cum impudentiâ quidvis à sede apostolicâ extorquere; cum non vereantur ejusdem auctoritati sese opponere, et contra eandem juramenta vel suscipere, vel suscipientibus connivere.

Quia catholoci sibi persuadent inde occasionem sumpturos persecutores ad extirpandam catholicam religionem, catholicosque omnibus bonis spoliandos : cum enim catholici ut rebelles jam puniantur, accipientur episcopi creati ut capita quædam rebellionis, præsertim in Angliâ, ubi antehàc tanta fuit potestas et auctoritas episcoporum, ut integros exercitus in aciem duxerint, totumque regnum loco regis absentis administrarint, ut ex historiis Anglicanis manifestum est.

Certum est pseudo-episcopos contra veros episcopos majore furore concitandos, tanquam contra æmulos suos, per quos à sedibus suis pellendos se tandem fore existimabunt.

Superiores omnes, tàm religiosorum quàm sæcularium sacerdotum, præ cæteris maximè ab hæretico statu conquiruntur, et in carceres et vincula conjiciuntur ; ut factum vidimus jam in archipresbytero Blackwello, in P. Garnetto, superiore patrum societatis Jesu, et in P. Prestono, superiore patrum benedictinorum: ex quibus, licet P. Garnettus constanter, tàm blanditiis quàm suppliciis resistendo, mortem pro fide subierit, Blackwellus tamen, cum omnium communi dolore, et scandalo plurimorum, turpiter succubuit : de patre verò Prestono quid literis et vocibus multorum circumferatur suam sanctitatem non latet :—quantò magis periclitaretur episcopus ?

Catholici sibi persuadent pseudo-episcopos in Angliâ cum appellantibus concurrere ad hanc episcoporum creationem postulandam, ut indè justam nanciscantur occasionem catholicos extirpandi : nam certò sciuntur aliqui, ex præcipuis illorum qui episcopos semper postularunt, habuisse commercium cum prædictis pseudo-episcopis; et nuperrimè Bishopus in carcere speciali favore acceptus, et opportunè, quasi de industriâ, è carcere dimissus fuit, ut ad conferentiam Duacenam se conferret, à quâ provenit jam hæc nova episcoporum postulatio.

Nec tantùm ideo concurrere creduntur heretici cum his qui promovent creationem episcoporum, ut indè arripiant occasionem novam persequendi catholicos, ut supra dictum est, verùm etiam quia æquè facilè aliquem episcopum ad partes suas se attracturos sperabunt, ut primum archipresbyterum jam attraxerunt, ejusque auctoritate usuros, non tantùm ad formanda et stabilienda juramenta, et libros scribendos contra auctoritatem summi pontificis (quod jam fecerunt per archipresbyterum Blackwellum[1]), sed etiam quævis dogmata hæretica pro catholicis defendenda, præsertim cum pro defensore habituri sint verum episcopum, qualem hactenùs nunquam habere potuerunt hæretici Angli, ut successionem, vocationem, ac missionem suam legitimam probare, et, vel specie tenus, ab ecclesiâ Romanâ derivare possent. Indubiè enim sperant, si plures creantur episcopi, aliquem ex illis eligendum quos sibi regique fidos esse cognoverunt: et quamvis ex iis nullus crearetur, sed alii qui nihil cum illis commercii haberent, tanta tamen fuit ab initio industria hæreticorum in Angliâ ad dividendos inter se catholicos, uni semper eorum parti favendo qui se opponerent cæteris, ut sperarent facilè aliquem episcoporum, præ cæteris, favoribus ac beneficiis ita sibi devinciendum, ut sibi paulatim eum omninò lucrarentur; et tali episcopo plerique ex catholicis remissioribus adhærerent, ut vel sic persecutionem vitarent.

The writer next speaks of the difficulties which, he says, must necessarily attach to the introduction of bishops,—namely, the want of a sufficient maintenance, the impossibility of satisfactorily arranging the limits of their respective jurisdictions, the reluctance of the laity to submit to their control, and the dissensions that would arise among the clergy on the subject of their election. He then proceeds,—

Postremò, hoc ipso anno, sub specie consultandi de bono publico ecclesiæ Anglicanæ, reverâ autem pro variis innovationibus tentandis, missi sunt ab archipresbytero, qui Duaci cum præside et tribus aliis conferrent, Doctor Smitheus, Bishopus, et Champneus; atque hi præsentem postulationem episcoporum denuò renovarunt, quibus illa expressè antea à suâ sanctitate et recusata et prohibita fuerat, idque sæpissimè, ut supra explicatum est. Posteriores etiam duo, Bishopus et Champneus, jam pridem juramento contra authoritatem summi pontificis consenserunt, et propriis nominibus subscripserunt, ut videre est in libro edito de examine Blackwelli[2].

[1] [The writer of this must have known that the oath of allegiance was drawn up, not by Blackwell, as he would here persuade the pope, but by the apostate jesuit, Perkins.—*T.*]

[2] [This is another of those wilful perversions of fact, which it is as painful as it is necessary to notice. The document approved and subscribed by Bishop and Champney was not the "*oath* of allegiance", devised in the reign of James,

No. XX.—(*Referred to at page* 57.)

*** *Birkhead to Cardinal Borghese. July* 26, 1613.

[Original in my possession.]

Illustrissime et Reverendissime Domine,

* * Persecutio sanè hæc quam diutissimè pertulimus, etiam adhuc indies gravior facta, penè frangit plurimorum animos, duriora minans. Importunis precibus à sede apostolicâ frequenter petivimus episcopis, tanquam ducibus, muniri, ipsisque dirigentibus armari, quo citiùs Satanam sub pedibus conculcemus. Pugnaverunt utique Israelitæ contra Madianitas, jubente Moise: ô si noster Moises, quoad hujusmodi pugnam spiritualem summus populi christiani dux et gubernator, permitteret nos vigili episcoporum ductu in aciem prodire! Reverà perquàm necessarii sunt ad consolandum nos in tantâ desolatione. Quis audivit inter antiquos hæreticos populo Dei unquam defuisse catholicos episcopos? Rident et subsannant nostri hæretici in suggestis, jam supra quinquaginta annos istam afflictissimam ecclesiam (proh dolor!) nullis adunari! Imò blasphemant coràm populo, catholicos ob id sacramenta confirmationis et sacræ unctionis negligere[1], neque ea tanti facere, quanti præ se ferunt. Quis verò a nobis fortem fidei confessionem expetet, sacramento confirmationis tàm diù destitutis? Pro fide catholicâ et sedis apostolicæ dignitate plurima passi, nisi tandem adsint episcopi, mœrore intollerabili opprimemur. Locorum distantiâ, sed magis hæreticorum invidiâ, ab invicem dividimur; unde ignorantia, contemptus, et inobedientia: extra disciplinam positi, rudes paulatim devenimus et barbari. Tot greges sine pastoribus ecquis vidit non subjacere luporum rapacitati? Cleri multi utriusque sortis, absconditè tamen (quod ad juramentum attinet), plurimùm auctoritati pontificis detrahentes, mundanis nimis connivent: porrò laici, sibi ipsis credendo potiùs quàm suis presbyteris, metu persecutionis obruti, pontificia decreta facilè perrumpunt. * * Ultimum ergo et unicum præfati damni remedium soli episcopi. Quapropter tuæ amplitudinis benigni-

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but the "*protestation* of allegiance", drawn up by Bishop himself, in 1603, and prepared for presentation to Elizabeth. See it, in this History, iii. Append. clxxxviii.—*T.*]

[1] [This allusion to the supposed neglect of Extreme Unction he explains in a letter to Mozzenega, to which I have elsewhere referred (p. 58, note, ante). I will here subjoin his words: "Absentibus episcopis, desunt nobis sacra olea, quorum certè maximam habemus indigentiam, tùm in sacramento baptismatis, tùm in sacrâ unctione; adeo ùt non sine magnâ molestiâ, nomine sacerdotum meorum, a reverendis assistentibus meis sæpiùs relatum fuerit, eos ad quatuor plus minus annos eisdem caruisse". Dec. 3, 1613. More's copy in my possession.—*T.*]

tate freti, ad te confugimus, illustrissime domine, quem credimus apud S.D.N. majora posse; humiliter eandem solicitantes, ut sanctitatem suam sic de istis rebus velit consulere, ut, vices hujus ecclesiæ miserrimas pro pietate tuâ deflendo, tandem quod petimus, illius jussu tuisque suffragiis, consequi mereamur. Quod si feceris, tùm ad suæ sanctitatis pedes, lachrymis præ gaudio effusis, mente et spiritu provolvemur, tùm tuæ illustrissimæ dominationi pro tàm insigni benevolentiâ optima quæque in gratiarum actionem non desistemus exoptare. Datum Londini, 26 Julii, 1613.

Illustrissimæ dominationis tuæ studiosissimus,

GEORGIUS BIRKHEDUS,

Angliæ Archipresbyter Indignus.

No. XXI.—(*Referred to at page* 57.)

*** *Birkhead to Pope Paul V. October* 20, 1613.

[More's Copy in my possession.]

Sanctissime Pater,

Diù, multùmque, atque majore zelo ac libertate apud sanctitatem vestram negotia nostra prosequentes, vestra incomparabiliter majoris momenti inurbanè fortassis interrupimus: cum autem mala plurima nos premant, et ad ea removenda, desiderio episcopalis regiminis, illud pro communi causâ ex animo fecerimus, speramus nos neque apostolicæ auctoritatis ideò oblitos judicari posse, neque in petitione nostrâ modestiæ limites transiisse. Absit enim ut tantâ majestate insolenter abuti unquam in animum induceremus. Si fallimur, opinione servandi fidem in hoc regno per episcopos fallimur: credimus enim, imò, ut ita dicam, nescire nequimus, ad eam tuendam, rebus sic stantibus, convenientius remedium neutiquam inveniri posse. Quâ de causâ, metu tàm præsentis quàm futuri mali ego penitùs impulsus (haud inconsultis tamen assistentibus meis), ad sanctitatis vestræ clementiam ausus sum tot vicibus confugere: nam prævalente jam inimico diabolo, et, suscitatis per eum, quibusdam fictis catholicis Romanæ ecclesiæ auctoritatem contumaciter invadentibus, nulla alia restat spes, humanitùs loquendo, unquam in ordinem reducendi hanc deploratissimam gentem. Hæc breviter tantùm nunc literis meis suggerenda putavi, tanti ponderis hanc rem existimans, ut, nisi obsisteret corporis infirmitas, veniâ sanctitatis vestræ priùs humiliter petitâ, fortunas meas omnes mitterem in discrimen, ut de hâc nostrâ præsente tribulatione ipse coram sanctitate vestrâ verba utcumque inepta effutirem. Cujus rei cum nullam spem habeam, his paucis lineis audacter in me suscepi, ut vestram sanctitatem humillimè obsecrem ut remedium hoc atque solatium, jurisdic-

tionem scilicet episcopalem, tàm necessariò totiesque petitam, rebus nostris ita desperatis tandem concedat, meque, pro suâ solitâ benignitate, debilem, ægrotantem, atque senescentem, tàm ab hoc munere, quàm à quocumque alio, liberare dignetur. Deus Opt. Max. sanctitatem vestram in æternum conservet. Datum Londini, 20 Octobris, 1613. Beatitudinis vestræ humillimus servus et filius,

GEORGIUS BIRKHEDUS,
Angliæ Archipresbyter indignus.

No. XXII.—(*Referred to at page* 60.)

*** *Birkhead to his clergy, April* 5, 1614.

[Original in my possession.]

My Reverend Assistants and loving Brethren,

There is nothing wherein I have laboured more than to keep unity and peace, not only amongst yourselves especially of mine own body in particular, but also amongst the labourers in general, who travel in this holy harvest. This, at my first meeting with the chiefest of you, I earnestly commended unto them, and by them to you all; this in my letters I ever inculcated; and now, as the best and last counsel I am like to give you, this I entreat, and, *in visceribus Jesu Christi*, require you would carefully conserve. I cannot say but that I found you, from the beginning, very ready to embrace my advice in this point, which was the only comfort I had, to go forward under this heavy burden laid upon me: if, after my departure, you continue in this holy course of proceeding, assure yourselves your consolation will be great, and the merit that will follow will redound to your eternal happiness. I have written unto the fathers of the society, entreating of them charitably to concur (as I do now most earnestly, you would do the same, of your part, with them) with you in this great labour, nor to meddle in your affairs, further than the will of our holy pastor alloweth, and you do in theirs; which I do not doubt the good fathers, out of their piety, will perform; especially, the great inconveniences considered, that have grown upon such practice. If any thing do fall out, either amongst yourselves, or with any other religious, which may grow to so great a difference, that the parties, to whom it doth belong, cannot well agree without other put in, do you charitably then, for the avoiding of scandal, recur to your assistant, or higher superior, and what they determine, that do you humbly embrace: which will prove the only way, no doubt, to satisfy all parties, and to keep this great jewel of peace amongst you, which I do much desire. My weakness will not suffer me to be long; only, I will say with the holy apostle,—

"*Curate ut persolvatis quod cuique debetis: nemini autem quicquam debeatis, nisi ut invicem diligatis. Hoc est vinculum perfectionis*".— Do but love, my children and loving brethren; you will have peace amongst one another: you will cherish, assist, and comfort one another, and perform all things else that belongeth to your holy vocation. Our sweet Lord, of his goodness, give you all his grace, that you may live in true obedience of the chief pastor, and keep this peace so much desired. This 5th of April, 1614, from my bed.

Your ever careful and loving friend,

George Birkhead,
Archpriest of England, and
Protonotary Apostolical.

Birkhead to the superior of the Jesuits. April 5, 1614.

[MS. in my possession.]

Very reverend Father,

The great desire I have had, since my first calling by his holiness to this place, to keep unity and peace amongst the labourers in this vineyard, besides the testimony of my own conscience, the effects that have followed my endeavours are good witnesses to the same. What difference I found, at my first entry, between your fathers who labour with us, and the chiefest and most sufficient priests (as I have found by experience) of my own body, I had rather in silence they were wrapt up, never to be thought of, than, by unfolding of them, to bring that into memory which will not be so easily forgotten. It resteth now only, of my part, who, wearied with age, and so weakened with sickness as that I am ready to take my last farewell, that nothing should be moved or said by me, which did not altogether tend to the glory of God and good of our country; which, in few words (my weakness considered, being not able to use many), is, to entreat that you would lovingly concur, and charitably help the clergy of this kingdom, for whose assistance you were at first sent into this harvest. I know your profession is honourable in God's church, your labours against heresy and sin commendable; but, if peace and charity guide not your endeavours, we labour in vain, and all will perish, and come to destruction and ruin, that we have undertaken. I have dealt with the chiefest of mine own, whom I know you have held in greater jealousy than there is cause; and, to deal plainly and sincerely with you, I find them most ready to give you that correspondence, is necessary you should give one another who travel in so holy a work. They only desire that in their government you meddle no further, than they do in

yours: withal that you oppose not yourselves in any suit they propose to the chief pastor, for the good of their own body; especially in matters of superiority, which canonically belongeth to their vocation. This being done, there will be no occasion but that you will friendly and charitably set forward this great work you have undertaken. For my own part, I wish you all as well, as I do to mine own heart; therefore with all indifferency entreat, you would keep amongst you this holy league. It is the will of the chief pastor; it is desired by all mine; and I hope will be accomplished of all parts. Sweet Jesus keep you, to whom desiring you would remember my poor soul, I rest, 5 April, 1614, from my bed.

Your fr. in all charity and love,

George Birkhead,

Archpriest of England, and Protonotary Apostolical.

No. XXIII.—(*Referred to at page* 62.)

*** *Birkhead to Paul V. March* 27, 1614.

[More's Copy in my possession.]

Beatissime pater,

Annus jam progreditur octavus, quo onus istud grave, quod tuæ placuit sanctitati meis humeris imponere, perfero. Onus certè, hisce temporibus, non solùm communis adversarii et periculi indè, sed simultatum etiam inter nos grassantium respectu, difficillimis, nunquam libens suscepissem, amor nisi et officium, quibus arctissimè tuæ sanctitati sedique astringor apostolicæ, me ad id necessariò impulissent. Quantâ verò per hoc totum tempus solicitudine fratres meos invicem dissidentes, aut minùs benè inter sese animatos, generaliterque omnes qui in hac merentur militiâ, ut idem unanimes saperent, laboravi, illorum esto dicere, qui omnium meorum studiorum et curarum testes affuerunt oculati. Mihi quidem moribundo testimonium simul et solamen præstat conscientia, quòd nihil unquam apud meos molitus fuerim vel cogitarim, nisi solo pacem inter partes conciliandi, et religionem promovendi animo, quòdque ne semel quidem authoritate istâ mihi delegatâ alium in finem usus fuerim, quàm in eum solum quem tuæ sanctitatis probè explorata voluntas dictavit et præscripsit. Nunc autem venia detur mihi, pater beatissime, si confectum senio, fatiscentemque macie, Deo creatori meo atque judici rationem jamjam redditurum, tanti oneris tandem pigeat tædeatque: detur etiam venia si, antequam morior, et tibi quoque, qui in terris supremus es sub Christo judex, meque in hac rerum parte collocasti, generalem villicatûs mei

reddidero rationem, simul etiam si *liberè præmonuero quemnam è duobus aut tribus vellem dari mihi successorem*[1]. Sic ergo se res habet. Ad vitæ meæ, cujus hic est annus sexagesimus sextus, portum et periodum jam ferè appuli ; ciborum appetitûs defectu, et caloris naturalis defectione eò imbecillitatis redactus, ut diù in vivis esse non possim ; certè nullo modo in hac meâ provinciâ sicut olim desudare. Propterea tuam ego sanctitatem in visceribus Jesu Christi, et pro eo quo es in universum catholicorum gregem animo, et speciatim in nos, quorum immediatus es episcopus, vehementissimè rogo ut, quamprimùm Deo visum fuerit me ex hoc corpore mortis evocare, talem aliquem virum clero et catholicis Angliæ præponas, qui eos charitate singulari indiscriminatim foveat, et nihil aliud privatim quærat præter totius corporis sibi ad regendum crediti unitatem et salutem. Imò, si vis ut hæc pax, quam tot exantlatis laboribus constitui, sarta tecta atque illibata permaneret, tu talem omninò debes illis præficere, quem ipsi optimè cognoverint nihil antiquiùs suis in votis habere, quàm commune bonum ; virum, scilicet, aliorum affectibus minimè obnoxium, aut nutibus circumagendum, nisi tantùm quatenùs ad omnium utilitatem atque consolationem censebitur pertinere. *Quod igitur ecclesiæ bono vertat, tuæque placeat sanctitati.*

Ut ut alii fortè secùs judicent, sunt ex viris illis apud nos præstantibus, quorum ut ego pietatem, peritiam, atquè mores maximoperè probo, et reipublicæ nostræ administrandæ imprimis idoneos censeo, ita ex eorum numero mihi eligi successorem aveo ; eoque nomine tuæ sanctitati eorum quemlibet specialiter commendo[2]. Sed vitandi dissidia, circa electionem facilè oritura, et omnium placandi animos, non nisi una via est, eaque si solis assistentibus liberè permittatur suum superiorem eligere, et quem illi elegerint, si tua confirmaverit auctoritas. *Atque hoc est et rationi consentaneum : quinam enim alii superiorem eligerent, nisi qui sub illo superiore victuri sint*[3] *?*

Habes en, pater beatissime, quid in re tantâ mihi factu videtur maximè utile atque necessarium, quod etiam, cum bonâ tuâ sicut spero veniâ, quemadmodùm paucis aperui, ita his ultimis votis meis instantissimè peto, ut huic potestati majoris præsulatûs adjicias jurisdictionem, sine quâ reliqua piget, et rebus gerendis quasi inepta jacet. Rationes

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[1] [In the engrossed copy, instead of the words here printed in italics, the following were substituted :—" quæcumque vellem liberè locutus fuero."—*T.*]

[2] [This passage was omitted in the engrossed copy.—*T.*]

[3] [This sentence was thus altered,—" Hæc autem via, præterquàm quòd assistentibus majorem dignitatem atque authoritatem conciliabit, atque archipresbyteratui ipsi valdè est futura necessaria, pacemque adhuc tenerrimam firmabit, erit insuper et universo clero sæculari acceptissima, utpote quam cordatiores quique ex eis summoperè probant exoptantque."—*T.*]

cur sic sentiamus, et cur id antea poposcimus et nunc poscimus, plurimæ sunt, quas meas vices illic tenens tibi sæpiùs insinuavit. Postremùm meos filios tibi, pater, enixissimè commendo, ut eos indulgenter habeas, atque in sinu tuæ sanctitatis benignissimè foveas. Nos desolati, nos omni ope atque opibus destituti; et nisi tu sublevaveris, procul dubio sumus perituri. Deum supplicissimè precor ut optima consilia tibi semper instillet, atque te dirigat ea agere quæ ad ejus gloriam maximè sint redundatura. Vale. E latebris meis, 27 Martii, 1614.

Sanctitatis tuæ obedientissimus filius,

GEORGIUS BIRKHEDUS.

Archipresbyter Indignus.

Ego quidem nullum omninò nominarem: sed tamen, cum multùm urgear à meis, hos nominare cogor,—D. Gulielmus Bishopus, doctor Sorbonicus; D. Mattheus Kellisonus; D. Antonius Champneus, Sorbonicus. Hæc vix scribere potens, tuæ sanctitati cæteros nominandos relinquo[1].

*** *Colleton, under the name of Smith, to More, April* 10, 1614.

[Original in my possession.]

Beloved Sir,

Upon the first appearing danger of the archpriest his recovery, I wrote you a letter by the consent of others, that they two things request of you; the one, that you would carry a watchful eye, who moved for another that should succeed, and for whom, and to stay the grant so much as in you lay: the other thing that was likewise requested was, that you yourself would [not] become suitor or motioner for any one, until you had advertised both the name of the person, and received the consent of the assistants thereunto. This was the sum: and I sent the letter to the president, to convey; nor do I

[1] [Omitted in the engrossed copy.—I should add that, in the draft, Champney's name, besides being scored for omission, in common with the rest of the passage, was further struck out with the pen, as an indication that, under any circumstances, he was not to be considered as having been recommended to the pope. It turned out afterwards that this was done by Champney himself, or by his direction, when the document passed through Paris, on its way to Rome. More suspected this from the first: he therefore mentioned it to Champney, and the latter, in reply, wrote as follows,—"The name in Mr. Archpriest's to his holiness was not put out without the knowledge and consent of him who was most interested in that matter; and therefore had not any body any wrong therein." July 1, 1614, original in my possession.—*T.*]

doubt but that you have it. What hath fallen out since, the letters that come in this do manifest. I thought good to send them all unsealed, that our friends in Paris and yourself might understand the contents. The reason why the letters to his holiness and the protector were new written and altered, after the subscription, was specially the contradiction in the subscription (*the postscript*) to the contents of that to his holiness; and for that he had changed his opinion, and stood absolutely willing to leave the matter wholly in the terms you see it, without nominating any to his holiness; with humblest entreaty that his holiness would vouchsafe to give leave and authority to the assistants to choose the superior, for the causes alleged. And, whiles the letters were thus in altering and anew writing, but principally upon the stay the party made, who carried the letters, lingering three days in London, where the letters were fair written, after he had them in his hands, it chanced, contrary to the hopes and opinion of the said bearer, an especial friend of the archpriest, that God called the archpriest out of this world, the very day he was in his way towards him. I have used this long circuit of words, that hereby you seeing how things passed, and the reasons, may use your own judgment, whether you will subscribe his name to the two letters (that being his determinate and final intention), and so deliver them, concealing the two former, or to shew all four, with rehearsal of the reasons and declaration precedent. I take the first for the far better way.

You have with these a copy of the archpriest's letter he wrote to the superior of the jesuits, and you have also the same translated into Latin, for your own use, if you have occasion to shew it to any stranger. Having written to the protector, as you see, I hold it not necessary, and perhaps not fitting, to write also to his holiness. I beseech you heartily to deal and inform so, as there be another appointed with the soonest; for I am both a prisoner, and aged, and no way able to undergo the burden. I pray commend me to your cousin, Mr. Thomas, my old acquaintance. And thus, with remembrance of my love to yourself, I leave. Our parliament is begun, and a rumour spread of severer laws. 10 of April, 1614.

Your loving friend,

Jo. Smith.

I understand that Mr. Burgh. (perhaps *Broughton*) hath sent a copy to Mr. Dr. Bishop of the archpriest's letters to the superior of the jesuits and to the secular priests, with request that, after reading, he would send them to you: whereupon I omit to enclose the copy my letter specifieth.

*** *Colleton to the Protector Farnese, April* 10, 1614.

[More's Copy in my possession.]

Illustrissime Domine,

Sexto die Aprilis, vir admodùm reverendus, archipresbyter Angliæ, adeò sanctè placidèque ex hâc vitâ emigravit, ut omnibus qui morienti astiterunt consolationi simul et instructioni fuerit. Pridie quàm moreretur, quatuor ad se vocavit sacerdotes, è quibus unus erat ex assistentium numero[1], coràm quibus declaravit se dilectum suum Joannem Colletonum, omnium assistentium sacerdotem antiquissimum, in suo loco ponere et statuere superiorem, donec suæ sanctitati aliter decernere visum foret; jussitque eos ut testimonium ferrent de illo suo ultimo actu atque voluntate. Id cum mihi nunciatum fuerat, non dicam ut perculsus fueram: sed post diem unum atque alterum subscripsi, quòd, sicut nollem præpositis aut superioribus meis inobediens esse, præsertim in articulo mortis rem talem imponentibus, ita contrà, conscientiâ perhibente mihi testimonium quàm sim tanto impar negotio, quòd neque vellem munus impositum libenter suscipere, nisi forte ad id majore authoritate adigerer: interea tamen, quanquam in carcere existentem, me omnia pro virili præstiturum, ne in tantâ necessitate rem catholicam deseruisse judicarer. Te ergo, illustrissime domine, suppliciter precor, ut tibi placeat suam sanctitatem adire, et, pro eo quo apud eum es loco, exorare, ut quàm ocissimè ipsum quem vellet nominaret archipresbyterum, aut ut assistentibus copiam faceret aliquempiam eligendi, quem ipsi, accuratâ priùs habitâ deliberatione, muneri perferendo maximè idoneum censuerint, secundum id quod archipresbyter ipse moribundus, cùm in literis ad suam sanctitatem, tùm ad tuam serenitatem scriptis, tantoperè suasit atque expetivit:— imò verò potiùs (quod multa millia catholicorum in Angliâ videre avent) ut episcopi unus atque alter constituerentur; quandoquidem id gubernationis genus Christus ipse in suâ ecclesiâ reliquit continuandum, episcopique per universum terrarum orbem gregibus suis ordinariè præesse dignoscuntur, utcumque gens illa quæcumque multò minùs meruerit à sede apostolicâ, quàm populus catholicus in Angliâ. Atque hæc, illustrissime protector, hactenùs. Deus Opt. Max. te interea ad universalis ecclesiæ utilitatem, hujusque nostræ omnium, quotquot sunt vel fuerunt, longè miserrimæ, semper tueatur incolumem.

Serenitati tuæ devotissimus,

E carcere Clincensi, ad ripam Thamisis, 10 Aprilis, 1614, Stylo Anglic. JOANNES COLLETONUS.

[1] [Edward Bennet.—*T.*]

No. XXIV.—(*Referred to at page* 62).

*** *Colleton to More. July* 28, 1614.

[Original in my possession.]

Dear Sir,

Upon the receipt of yours, bearing date the twentieth of June, I addressed the enclosed; whether to your liking, though I wish it, I do not know: sure I am it is that which I thought fittest. I doubt not but my former, of the tenth of our July, will safely arrive with you. There was one to his holiness, another to yourself, and a commission for you from us. If Dr. Champney be not liked, nor any of the other accepted of, you may propose whom and so many as you please. Truly, methinks his holiness should deal very unkindly with our clergy, considering we have no church livings, and serve God, and gain souls with the danger we do, if he deny us the choosing of our own superior. * * * I commend your care and wisdom; and we do all very heartily entreat the performance, that you will do your uttermost as there be not any one made our superior without our privity, and that we have time, as you write, to make opposition, that is, give our reasons to the contrary, if the party nominated be not to our liking. This is the main point, as yourself signifies, that you aim at; and hereof we desire you to take special care. Yet, to tell you a truth, we greatly fear that, nill you and we both, the contrary will fall out. * * * Fare you well. The 28th of July.

*** *Colleton and Assistants to the Pope. July* 28, 1614.

[More's copy, in my possession.]

Beatissime Pater,

Ab agente nostro, D. Thoma Moro, literas nuperrimè accepimus, in quibus ab illo monemur nomina quorundam, qui ecclesiæ nostræ gubernandæ nobis videntur maximè idonei, ad sanctitatem vestram quamprimùm mittere. Nominavimus igitur D. Gulielmum Bishop, Richardum Smith, Antonium Champney, Gulielmum Harrison, omnes quatuor sacræ theologiæ doctores, quibus et alios quatuor, doctorem Worthingtonum, doctorem Kellisonum, D. Thomam Fitzherbertum, et D. Thomam Morum libenter vellemus adjungere, nisi ob rationes subsequentes. Primùm enim, doctorem Worthingtonum, tempore Elizabethæ reginæ, catholicus quidam, nomine Heskettus, et morte ob læsam majestatem mulctatus, tanquam ejusdem moliminis conscium et persuasorem confessus fuerat: cujus rei recordatio, si ipse veniret superior, fortè refricaretur, et indè causa nostra multò pejus audiret. Secundò, doctor Kellisonus, collegium Duacense, ubi jam residet,

moderando, ecclesiæ nostræ est adeò necessarius, ut vix queat esse magis; nec etiam, si amoveretur illinc, aliquis facilè reperiri posset qui omnibus ibi foret æquè gratus. Tertiò, D. Thomas Fitzherbertus, libris suis aliquot piè atque gravissimè scriptis, tantum odii hìc apud adversarios nostros, quorum aliqui sunt potentissimi, sibi conciliavit, ut nullo modo, aut certè non nisi cum magnâ perturbatione, præsentem ferrent. Postremò, D. Thomas Morus, agens noster, quanquam gratissimus, tùm ob sua in nos merita, tùm ob gloriosissimam memoriam proavi sui, magni illius Mori qui cum electo cardinale Roffensi, primus, ob juramentum primatûs non præstitum, martyrium nobilissimè pertulit, is tamen solus est quem vel nunc habemus, vel habere speramus, qui suis sumptibus res nostras illic curet. Ille igitur, quem ex iis omnibus (maximè ut nunc res nostræ sunt) præcipuè idoneum putamus, et quem propterea specialiùs supplicissimèque petimus, est doctor Antonius Champney, utpote à novissimo archipresbytero antehàc nominatus, neque adversariis nostris particulariter invisus, neque munere aliquo publico detentus, verùm et clero et laicis nostris si quis alius acceptissimus, pietate insuper, eruditione, morum suavitate, experientiâ judicioque singulari, vinculis etiam aliquando pro fide catholicâ atque aliàs exornatus, quique semper et candidissimè et temperatè se gessit, semperque, ut confidimus, se sic gesturus erit. Hæc, pater sancte, ideò scripsimus, ut appareat nos, quamquàm tenuiter monitos, existere paratissimos ea omnia, dum vita manserit, facere, quæ sedi vestræ quoquo modo grata esse futura subsentimus. Nihilominùs, si sanctitas vestra gratiosè nobis concedere dignaretur, ut assistentes, uti archipresbyter piæ memoriæ moribundus petiit, suum superiorem eligant, id quidem clero admodùm cordi esset, et ad perpetuandam augendamque pacem inter nos haud mediocre foret adminiculum. Unum certè nobis videtur admodùm necessarium, ut aliquod nomen, illo *archipresbyteri* nomine honorificentius, nostro futuro præposito, ob majorem ecclesiæ nostræ spendorem, augmentumque, cùm reverentiæ à laicis, tùm in clericis obedientiæ, imponeretur. Habet hìc beatitudo vestra quæ sentimus: inspiret Deus Opt. Max. utilissima, et sanctitatem vestram quàm diutissimè conservet, sospitetque. Datum Londini, 28°. die Julii, stylo veteri, 1614.

Sanctitatis vestræ obsequentissimi servi,

Joannes Colletonus, *Officio Archipresbyteri fungens.*
Edwardus Bennettus.
Joannes Bennettus.
Cuthbertus Trollopus.

No. XXV.—(*Referred to at page* 65.)

*** *Bosvile to Colleton. Jan.* 1615.

[Original in my possession.]

Most Reverend Sir,

I have received yours of the third of December, and in the business of Mr. Lane I will carry myself as he and the others shall give occasion; but I would wish that, before either you, or I by your authority, shall take away any man's faculties, you would well examine whether your own commission extendeth itself so far: for I have heard, if the superior himself had been laid fast, his authority was committed unto the next assistant about London, until the superior should appoint another; and therefore some doubt whether you, being in hold, be capable of any such authority, by virtue of the commission: and in this I desire to be well assured and satisfied, before I dare put any thing in execution, by virtue of your authority.

The message I sent by Mr. Leak was out of my love; and I assure myself you are wronged, and *that* by others if the report be false, and by yourself if it be proved true[1]. I thank you for your news from Mr. More, and shall thank you more when you write me news of a worthily nominated superior: and, in the meantime, desiring to be remembered to Mr. Charnock, Mr. Leak, and the rest of our brethren, whom with yourself I commit to the protection of the Blessed Trinity, and rest

Yours, in all I may,

J. Bosvile.

*** *Colleton to More, enclosing the preceding, January* 8, 1615.

[Original in my possession.]

Right Worshipful,

On the twenty-seventh of December, I received three from you, one of the twenty-fifth of October, another of the eighth of November, and the third of the twenty-second of the same month. In every of them I expected notice who was appointed superior, but failed in all; which caused sadness, if not grief. My reason of nominating Mr.

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[1] "This is meant of a report, which it pleased some to give forth, that I named Dr. Bishop with notes of diminution in my letter to his holiness, which you have" (marginal note in the handwriting of Colleton).—[In the preceding September, Bosvile had written to a friend, saying,—"I am informed that Mr. Colleton hath, in the name either of us all or some good part, named some: he hath omitted the fittest of all, Mr. Farington (Edward Bennet), and taxed you with a "*nominaremus D. Bishop, nisi quòd tædio carceris victus, &c.*" (Sep. 3, 1614, original in my possession).—The reader has only to turn to the memorial in the preceding page, to see that there was no foundation for the report.—*T.*]

Thomas Fitzherbert, in the manner I did, was for that I understood he was in the election there before, and my wit could not reach to devise a fitter mean of either putting him by, or of yielding ourselves matter of excepting justly against his making. If it were an error, as I do not see yet the reason that convinceth, it was the error of my understanding, and not of my will.

I wrote in one of my first, that his holiness would confirm the deceased his choice during the vacancy; which then I did upon scruple; not doubting but Mr. Lea[1] had authority to do what he did: but now, as the enclosed letter shews, being Mr. Bosvile's, an assistant, there is a necessity of renewing the request, or rather (if the tenour of the letter be true, that I am uncapable thereof, by reason of my restraint) of appointing me anew, and rectifying such former acts, as I have done since my assignation by Mr. Lea. I hope, before this arrives, the business will be despatched, otherwise I beseech you most heartily to importune the election of some one, and not suffer us longer to stay without a guide. Disorders flow, and will soon overflow, to the scandal of many, if a head be not the sooner set over us. Strange, they, knowing that I am a prisoner, will thus long defer the matter, and leave the office in his hand, who cannot execute the charge. What can their lordships or his holiness conceive otherwise, than that our clergy must hold themselves unrespected by them that so long demur, in a matter so necessary and requiring haste? * * *

The French ambassador is now on the point of his departure from hence, and hath already obtained of his majesty the banishment of fourteen priests. Marry, the council will not assent, unless both the priests give their words never to return, and the ambassador his promise to deal with their superiors not again to send them. This as yet stands the case; but there is little doubt made, but that, within this day or two, the ambassador shall have his request. The priests' names, as they are set down, are these,—out of the Clink, Mr. Price and Mr. Thomson; out of the Gatehouse, Mr. White, Mr. Green, Mr. Fairclough, Mr. Pool (the two last jesuits); out of Newgate, Mr. Smith, Mr. Mayhew, Mr. Smith, Mr. Herbert (a benedictine), Mr. Kempe (another benedictine), Mr. Green, Mr. Richardson, Mr. Kellet, Mr. Brown; out of the Tower, father Baldwin. What the effect will be I wot not; but a day or two at most will manifest the whole[2]. Fare you well. 8 of January. Yours,

J. Smith. (*Colleton*).

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[1] [Birkhead.—*T.*]

[2] [The negotiation failed, and the parties here named, with seventy-four others,

*** *The same to the same. Feb.* 22, 1615.

[Original in my possession.]

Beloved,

Yesterday, I received two of yours, one of the fourth, the other of the twenty-second of January. Though myself be sure that maxim of the law is true,—"qui succedit in munere succedit in authoritate," yet, because of Dr. Bosvile's exception, which I sent in his own hand to you, some six weeks since, that I was, in respect of my imprisonment, uncapable of the office, and therefore, not succeeding in the office, all is usurpation. A great mischief, and that that cannot have too speedy a remedy; and therefore hasten matters what you may, by informing the highest with the objection[1]. You cannot think, if you consider the matter, but that disorders abound; and, the longer the superior is unappointed, the more still they will abound.

I take your advertisement very kindly, in signifying the dislike conceived and complained of, for dealing on my own head, without consultation with the assistants, in managing the bulk of our common affairs. I wot how I could reply, even to the stopping of his or their mouths that so informed; but sith the accusation toucheth myself only, and is not prejudice to any other, I had rather exercise patience than excuse myself; though I know no one that hath written to me about any thing, to whom I have not given the best satisfaction I could, save only to Mr. Bosvile, in questioning Mr. Lea's delegation and substituting of

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priests and laymen, were, on the twenty-fifth of the following April, removed from their several prisons in London, to the castle at Wisbeach, where a new body of regulations was specially drawn up for their government (Recusants' Papers, in the State Paper Office, No. 250—255, April 16 et seq. 1615). In the course of the summer, however, Donna Anna Maria Camundio, wife to the archduke's ambassador, took up the subject, and presented two petitions to the queen, the first without date (Recusants' Papers, ut sup. No. 266), the second, July 29, 1615 (Ibid. No. 267), praying that certain priests in Wisbeach might be banished, and engaging that their superiors should not again send them into England. On a separate paper (No. 268), a list of twenty-two names was handed in, as those of the parties, who, it was hoped, might become the objects of the royal clemency: but, "s'il ne se peut obtenir la grace pour tous", said the fair petitioner, "je supplie à sa majesté especialment pour les suivans"; and she added the names of Kemp, Fairclough, Cowper, Smith, Ainsworth, Musket, William Davies, Richard Davies, and Green. Her success, however, was only partial. On the eleventh of the following November, a warrant was issued for the release of Kemp, Pool, Smith, Blount, and Brown; and they were accordingly delivered to the ambassador, to be conveyed abroad. The warrant is in the State Paper Office, Ibid. No. 289. The reader will recollect the examinations of these persons, in the appendix to the preceding volume of this history, cxciv. et seq.—*T.*]

[1] [More had already done this, in a memorial of which I possess his own original draft.—*T.*]

me[1]. The remedy of all this is, that you get another assigned with the soonest; which I wish from my heart, and do not doubt but I shall hear of it, ere this arrive; for so some here believe. * * *
22 of February. J. SMITH. (*Colleton*).

*** *The same to the same. March* 25, 1615.

[Original in my possession.]

Right Worshipful,

I write so oft, and hear of late so seldom, and never receive satisfaction, that I am in part discouraged from the pains. The delay that is made astonisheth all here; and if you have imparted the exception, which Mr. Dr. Bosvile's letter takes against me, as uncapable of the office, the delay by so much the more is strange, that so many, in so slippery a country, and in the midst of strongest occasions, should be thus long left without a guide. How wretched are we, that can have no petition granted, how reasonable, how just, how necessary soever the same be! You know (for the letters arrived safe into your hands) that I have written to your Monsignore[2], to the auditor[3], to the protector, and to the chiefest thrice, and yet I have not received one line from any of them! It hath been objected here, that I am in disgrace there: but, if the common cause receive no detriment in and through my disgrace, I weigh it little. My desire is, to be rid of the office, that I may spend the short remnant of my life in attending to myself. * * Fare you well. 25 of March.

Your loving friend,

Jo. SMITH. (*Colleton*).

There goeth a strong report, that there will be forthwith a remove of priests to Wisbeach[4].

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[1] [It was to Bosvile, no doubt, that he was indebted for the charge to which he has just been alluding. In the letter of Sep. 3, to which I have already referred in the present number of this appendix (clxix. note, ante), that person, continuing his address to his friend, says of Colleton,—"He wrongeth our cause, and dealeth a little over-peremptory of himself, without any conference with the assistants. I will not condemn our superior, for naming one who hath always been noted to be a little faulty in that kind, neither will I dispute how unfit it was to name one in prison: but I could have wished he had named some one abroad, and who relieth not too much upon himself":—and he then requests his friend to "write presently to Mr. More" on this subject (Original in my possession). Of the impossibility, however, of consulting the assistants on every occasion, even when the superior was at liberty, we have the evidence of Birkhead, in the following words,—"For me to confer upon every matter with my assistants, is not possible; for then should I be driven to write unto you but once in the year, so little means we have to meet." To More, Aug. 3, 1611. Original in my possession.]

[2] [Monsignore Vives, in whose house, near the Porta del Popolo, More was entertained.—*T.*]

[3] [Mozzenega, the auditor of Farnese the protector.—*T.*]

[4] See page clxx, note 2, ante.

*** *Three assistants to More. March*, 1615.

[Original in my possession.]

Reverend Sir,

In September, we three, whose names are underwritten, directed to your hands two letters to either protector, one requesting that a free election of our superior might be made by the assistants, as also a letter to yourself, requesting your charitable and careful agency and endeavours in exhibiting the same, and furthering our suit with them. Hitherto we have not heard the least of their success or your endeavours therein; whereat we wondering not a little, thought it fitting to address in like sort these few lines to you, whereby you may know, that then both we writ, and briefly what we writ, and that since, we have understood nothing of their effect and your proceedings therein: as also we thought it needful to acquaint you that all our brethren, for the most part, in these northern parts, do dislike the nominating of any Sorbonist, in regard whereof we disclaim from any such, both for that Widdrington doth bolster and boast his doctrine to be countenanced and maintained by them and their university, as also in that we think, matters so standing, none of them to be grateful and acceptable to the chief pastor.

Of late we understand that there hath been two benedictines here at London, with commission, as it is reported, both to enquire whether Mr. Preston were the author of Widdrington his book, as also to take instructions of our clergy for their superior: but Preston his irreligious proceeding with them, neither being willing to hear or read their commission, but throwing it in the fire, did peradventures occasion such fear of their own danger, that their soon departing would not permit them to take any instructions of us: for none of us three, no, nor any one of our assistants or other of our brethren, that we know, had any conference at all with them. And surely, it seemeth strange to us that any authority should be directed from that place where you are, and they not to be better informed by you, where and from whom they might have sought and received instructions for the better proceeding in our business; the which, surely, will never have a complete and perfect end, until one such a head and superior be by his holiness here constituted and established, as who may absolutely judge and determine controversies and debates, from what body soever they should arise: for it is well known, and we think yourself are not ignorant, that whilst our priests were predecessors of all religious in the labour of this vineyard, what great piety, sincerity, peace and unity; scarce then any debate heard of, but if any, as rarely any did occur, presently one

brother or two did make compromise thereof. But after the access of religious, what, I pray you, in few years, broils abroad and at home, in college at Rome, in court at Flanders, and in our country, not only sundry persons but countries, to our great grief and blemish, have been eye witnesses. And if with one body, to wit, the jesuits, this doleful event happened, hath not also this fuel more encreased by the augment of more religious bodies? Yea, did not the benedictines no sooner arrive, but presently empty and no small strife did arise betwixt religious and religious, jesuit and benedictine, until his holiness, by his providence and prudence, by decree and order did suppress the same? Yea, is there not in the two provinces of the benedictines some fuel of this fire? Was not Mr. Preston so partial towards one of his own, that, albeit twenty well nigh of our clergy did much complain and dislike Mr. Samuel his courses, yet he did justify him and his actions against them all[1]? Yea, is not the like malady in other orders? Albeit but few of them in our country, is not one franciscan at debate with another; and few or any religious at all that will take any advisement or reprehension of us the clergy? Yea, if the clergy do, upon just cause, reprehend their penitents, is there not some religious, in the discontent of the penitent, ready to bolster up the penitent, and to intrude himself to their place?—by reason whereof, and of such plausible and connivent dealing, they make such monopoly of places, that we were able to prove one religious to have appropriated to himself well nigh thirty sundry families of good mark and ability. The articles and points enclosed may more fully satisfy you how to inform your

[1] [With the precise nature of the dispute with Samuel, who was a benedictine, I am unacquainted. Some "strange behaviour in his conversation" seems to have first called forth the complaints of the neighbouring clergy, the missionaries in the north (see this history, iv. App. clxxii.): the matter was referred both to Birkhead and to Preston, the superior of the benedictines; and, for a long time, the two parties were in a state of open and not very edifying dissension. Writing to More, in 1611, Birkhead thus mentions the affair,—"The quarrel in the north is almost appeased: but such relations as you speak of will stir up the coals again. Mr. Trolloppe and all his fellows, at the first, did but only relate unto Mr. Samuel's superior what offence was given in the country; and since, contrary to their intention, the matter hath been exaggerated by Mr. Samuel so much, that it is come to a monstrous contention, but, as I said, now almost appeased. And if father Preston will join with me, to put them both to silence, I hope it will be quickly ended: but I fear he will stand so stiffly for Mr. Samuel's credit and their disgrace, for slandering him, which they do *mordicùs* deny, that I fear the worst. Some notes I send you here enclosed, only to give you a taste of what is written to me" (June 25, 1611). In another letter, written in the following month, he adds,—"I do what I can with our friends in the north about Mr. Samuel; but he so daily vexeth them, that I have much ado to appease them." To More, July 17, 1611. Originals in my possession.—*T.*]

superiors there of the necessity of one head and equal judge over them and us here, to be resident amongst us. We earnestly entreat your careful and zealous endeavours in certifying them to our superiors, and in not omitting any thing what you can further our common cause; and let us, we beseech you, hear more often from you: whereof hoping, with our best affections remembered, beseeching the Blessed Trinity to direct both you and us, your and our actions, to his glory and our church's good, we cease.

Your loving friends,

RICHARD BROUGHTON.
WILLIAM HARRISON.
CUTHBERT TROLLOPPE.

*** *Colleton to More, July* 11, 1615.

[Original in my possession.]

Right Worshipful,

This day I received at once four from you; the one of the second of May, another of the eleventh, the third of the twenty-third of the same, and the fourth of the thirteenth of June. * * Touching the state of matters here, wearied with the incumbrances of the office, I drew a letter to the cardinal protector, alleging the forciblest reasons I could for inciting him to deal with his holiness for appointing a superior out of hand, without further delay, unless they would have scandals to overflow our country. I sent the letter open to the president of Douay, who showed it to the nuncio to read; and he took it in his hands to convey, and promised to urge the despatch as much as in him lay. I think it bore date about the beginning of our May, some nine weeks past. The president, three weeks hence, signified to me that Mr. Dr. Worthington was assigned our superior; and now I hear the contrary from Paris, that it is not yet done, nor he likely to be the man. Our good Lord help us, and move superiors more feelingly to commiserate our miseries! Proceed they as they list, if speedy and better order be not taken for suppressing of licentious opinions, farewell unity, farewell peace, farewell the glory of our sufferings hitherto.

Right upon our Easter, there were twenty-four priests removed from Newgate and the Gatehouse to Wisbeach, from whence three of them have since escaped. Two went free, Mr. Peto, a benedictine, and Mr. Capes, a secular: the third, a vowed benedictine, named Dyer, was taken again, two days after the escape, and is now prisoner, and in irons, in the castle of Norwich, and, by report, is to suffer, this next

assizes. Sweet Lord Jesus be his comforter! There is a speech of sixteen more to be removed. Greet yourself with true love from me, and so I bid you farewell. 11 of July.

Yours

J. Smith. (*Colleton*).

*** *Champney to More, August* 25, 1615.

[Original in my possession.]

Good Sir,

I must, in this, answer yours of the twentieth of July and third of August. The delay of a superior is grievous; especially if, at the last, one be appointed that is not desired, as by your last you insinuate, and I see very probable[1]. God, who governeth his church by his ministers, will, if our iniquities hinder not, effect that which is most acceptable to himself. It is very strange to us, that they should make choice of a man to govern our whole body, whom they found not fit to govern a poor college. It seemeth the nominations of the assistants are of small weight with them, in respect of the suggestions of others, who are but bystanders in our affairs. God, I hope, will inspire him that is appointed, to carry himself as he ought to do. I have, and will again write to our brethren, to dispose them to expect him, and to receive him with that alacrity, that he may be easier won to join constantly with his body. He is gone from Douay to Brussels and Louvain, thence to take his journey for England[2].

That you may have some notice how matters go in England, you shall know that Mr. Rant, having been there some months for the recovery of his health, is returned, and saith that Mr. Colleton delivered him this serious speech, with much inward sense and feeling:—If any one would give the king counsel to root religion out of England, he could not find a fitter and more forcible mean, than to permit a number of unsufficient men to come into England, as they do every day, and to keep them without government. This course, in the space of five years, which is no long term, would bring catholic religion to utter ruin in England:—and, to give him some proof of the probability of this, he told him that he himself having admonished some of our brethren, that live in prison with him (for he and divers others are in the

[1] [He alludes to the report of Worthington's appointment.—*T.*]

[2] [From all the correspondence of this period, it seems to have been the prevailing opinion not only that Worthington expected the appointment, but also that his journey to England, at the present time, was the consequence of this expectation.—*T.*]

Clink, whence none were removed), who frequented plays, and being known to be priests did wear abroad coloured stockings with other incongruities, to forbear that custom as scandalous, they dealt with the keeper's wife, with whom they used to go to plays, to take from him the liberty to go abroad sometimes, as he was wont to do before. This I write for your own knowledge only. * * * And having no more to say at this time, I bid you most heartily to farewell. Paris, this 25 of August, 1611.

Yours ever,

CHAMPNEY.

I had almost forgot to tell you what conference we had with the nuncio this last week. Dr. Bishop and I went to give him thanks for his commendations of our affair with the clergy[1], and having told him of the great complaint our brethren in England make, for want of a superior, being now eighteen months since they are without any, whereupon they esteem that his holiness hath either forgot them, or doth wholly neglect them, he answered, they were therein deceived, for there was some that did watch over that affair. It was replied that, without some effect, it would not easily be believed: and it seemed strange that, for the appointing of any superior of the secular clergy, the bodies of religious must be consulted with, and, for the appointing of any superior of the religious, the seculars must not be acquainted, as in truth they do not desire: but, seeing the others are consulted with in their affairs, reason would that they should be so also in the like affairs of the religious. Hereunto he answered nothing; but said our divisions were the cause we had not [what] we desired. It was acknowledged that there were divisions, and diversity of opinions amongst us; but what number of men are there in the world, that have not? So, take away the pope, and will not there be divisions amongst the cardinals? And seeing our divisions to be so noisome, why are they not remedied? How is it possible that some hundreds of men, without all head or subordination, should live in unity of desires? To whom belongeth it to remedy our divisions? We are always ready to recur to his holiness in all our differences; which is an argument we desire not division, but redress of things amiss: and our adversaries have ever declined judgment. We have also desired that his holiness would, by his absolute power, command every body to depute one, or two, or three, to confer of our differences, and refer the desires and

[1] [He alludes to an application made, at this time, to the assembly of the clergy of France, for an allowance to the members of Arras college.—*T.*]

judgments of the most to his holiness, to be ratified; but we could never yet obtain any such thing: so that, if we may speak truly, we have occasion to think that the pretence of our divisions is used as colourable reason and mean to deny us of all things we desire and propose:—at which he seemed somewhat moved, and, turning himself, said he would do what he could for our contentment; and so we left him.—I think it not amiss they hear sometimes roundly that which is true, that they may see we are neither senseless nor unreasonable.

No. XXVI.—(*Referred to at page* 66).

*** *Edward Bennet to More. April* 29, 1615.

[Original in my possession.]

Very worthy and worshipful Sir,

Although, since my last, I have heard nothing from you, yet your great pains and travels in our business require that, upon the least hope that our letters may have free passage, we be not unmindful of you. The hope you gave in your last maketh us expect some good news from you in our great affairs: yet if, upon such letters as have been heretofore sent, there will be nothing effected, I could wish, out of your wonted charity, you would be pleased to advertise what we are to do more, for the setting forward of that we do so much desire. I advised Mr. Colleton how that it were fit there were other letters drawn from all the assistants, to move Paul once again, and the protector. His answer was, that he thought, before these letters would arrive, there would be one chosen; yet, if I did draw a letter, he would willingly, with the rest of the assistants, subscribe unto his hand.

Here is a carmelite about London, who, having dealt with some of our friends at Newgate, hath persuaded them that he hath authority, from the nuncio of Flanders, to enquire of our affairs, and that, if he hath but authority from the assistants, he will, by the means of his superiors, procure us bishops: ma[1] he must be an especial agent in the affair, and with authority from the assistants follow the business. They of Newgate writ unto me about it, wishing I would be a means to set him forward. I answered them again, that we were all bound to the carmelite for his love: ma the truth was, we had an agent of our own in Rome, who was the only man we trusted with our cause, whose sufficiency, and experience, and labours already taken in this great affair, had bound so our whole body unto him, that the clergy would not be drawn to any other course, but what he thought good of;

[1] [The Italian *but*.—*T*.]

much less trust any man, upon so little acquaintance, but himself: but if the carmelite, out of his charity he did profess towards us, by the means of his superiors, would assist our said agent, and get him the best credit they could, as well in respect of his own person, and the cause he followed, we should be perpetually bound to himself and his. This was the sum of what I did write unto them; which, I think, did not like the carmelite well:—and so much of this matter. * * * And so desiring you would remember us in those holy places, I take leave, the feast of the Resurrection of our Saviour.

Yours ever

RICH. SARA (*Ed. Bennet*).

*** *Champney to More, Feb.* 8, 1616.

[Original in my possession.]

Ever loving and respected Sir,

* * We had one of the sixteenth of January from Mr. Nelson, wherein he saluteth you, and desireth that you should know that Mr. Archpriest was with him fifteen or twenty days, and now is where the other lived and died[1]. "But as for his election," these be his own words, "it was not in such sort as you and Mr. More seem to "understand. It is true that Mr. Colleton consented to the setting "down of his name, at Mr. John Bennet's motion; for himself did "not know him. The party that bare the sway was the carmelite "friar, Mr. Doughty, some time Mr. Roper's man. They did write "to him from beyond (the nuncio of Brussels, and, I think, some "cardinal from Rome), that whom he sent them word of as liked by "the rest, the same should be chosen: as though they more credited "him than all the ancient priests. How he dealt with Mr. Edward "Bennet and Mr. Broughton I know not: but this I am sure of,— "they went to Dr. Harrison" (whom he meaneth by this "*they*" I cannot gather, for I do not think it were the two last named) "and got "a letter, by way of protestation forsooth, that he must clear himself "from suspicion of the oath, &c. (and Mr. Musket had to do herewith "also); which letter they altered, as he saith to Mr. Colleton and me, "and sent a strange letter, as it seemeth, in his name, to the nuncio, "wherein he telleth the nuncio and I know not who else, that you "there and I know not who else are unfit for the office,—*quia* (their "words, as he tells me they sent them), *ut fertur, impugnant pontificis "auctoritatem, et favent libris Widdringtoni, non arbitror fore gratos,*

[1] [At Cowdray Park, in Sussex, the seat of Lord Montague.—*T.*]

"*in nostro regimine;*—what else was in the letter I know not."—Thus far he. Some other things there are, of some dislike; but I hope all will end in good. The devil is ever busy to sow discord; but God will protect us from his malice: for all seem to join with our superior, though I hear of no thanksgiving for his election. * * Paris this 8 of February, 1616.

Yours ever
CHAMPNEY.

No. XXVII.—(*Referred to at page* 66).

*** *Breve of Pope Paul V. appointing Harrison to the office of archpriest. July* 11, 1615.

[Attested Copy. MS. in my possession.]

PAULUS P. P. V.

Dilecte fili, salutem et apostolicam benedictionem. Cum quondam Georgius Birkhedus, presbyter Anglus, quem aliàs ut cæteris omnibus seminariorum ecclesiasticorum sacerdotibus sæcularibus auctoritate archipresbyteri, et cum certis tunc expressis facultatibus, præesset, apostolicâ auctoritate constituimus et deputavimus, diem vitæ extremum nuper obierit, nos, ne Christi fideles in illis partibus omni pastorali curâ destituantur, pro nostri apostolatûs officio debito, quantùm cum Domino possumus, providere volentes; ac de tuâ fide, prudentiâ, integritate, catholicæ religionis zelo, aliisque virtutibus, super quibus apud nos fide-dignorum testimoniis commendaris, plurimùm in Domino confisi, motu proprio, et certâ scientiâ, ac maturâ deliberatione nostris, deque apostolicæ potestatis plenitudine, te in locum ejusdem Georgii in prædicto archipresbyteri munere, ita ut cæteris omnibus ecclesiasticorum seminariorum sacerdotibus sæcularibus auctoritate archipresbyteri, cum omnibus et singulis facultatibus aliis hujusmodi archipresbyteris concessis, [præsis] tenore præsentium substituimus et subrogamus. Cæterùm, te paternè in Domino hortamur et monemus, tibique nihilominùs in virtute sanctæ obedientiæ districtè mandamus, ut munus hoc libenter suscipias, illudque ad Dei gloriam, catholicæ fidei exaltationem, catholicorumque spirituale solamen, piè rectèque ac omni quâ decet charitate studeas exercere, cunctosque sacerdotes paternè in Christo charitatis vinculo invicem copulatos contineri, illosque in primis æqualiter tractari, omni vigilantiâ cures. Nos enim tibi, ut alacriùs et fortiùs, Christi obsequiis, in ejus vineâ istic elabores, apostolicam nostram benedictionem concedimus, et felicia omnia à Domino deprecamur: decernentes præsentes literas de surreptionis, &c. defectu notari, impugnari, aut redargui nullatenùs posse, &c. &c. Datum Romæ, apud

S. Mariam Majorem, sub annulo piscatoris, die undecimo Julii, 1615, pontificatûs nostri anno undecimo.

S. Cobellutius.

Concordat cum exemplari.

Ita testor ego,

Edwardus Bennettus, Assistens.

*** *Faculties granted to the archpriest Harrison*, 1615.

[MS. in my possession.]

Facultates pro archipresbytero Angliæ, in regnis Angliæ, Scotiæ, Hiberniæ, Monæ, et aliis locis dominii regis Magnæ Britanniæ, ac pro personis eorundum regnorum et dominiorum tantùm.

1°. Absolvendi in dictis locis ab omnibus censuris reservatis in bullâ Cœnæ Domini, et præsertim ab hæresi, etiam ecclesiasticos et regulares.

2°. Concedendi apostolicam benedictionem, cum plenariâ indulgentiâ, iis quos reconciliaverit.

3°. Concedendi indulgentiam plenariam quotannis in festis celebrioribus, et in mortis articulo, et, si quotannis generalem suorum peccatorum confessionem fecerint, etiam indulgentiam quadraginta ac quinquaginta dierum, ad libitum.

4°. Commutandi vota simplicia, exceptis castitatis et religionis.

5°. Dispensandi in tertio et quarto gradu in matrimoniis contractis, et dispensandi etiam in contrahendis, ob magnam necessitatem, etiam in secundo et tertio conjunctim.

6°. Benedicendi vestimenta sacra et alia omnia quæ pertinent ad sacrificium missæ ; et consecrandi calices, patenas, et altaria portabilia, oleo tamen ab episcopo benedicto.

7°. Dispensandi cum sacerdotibus ut, quando non possunt sine periculo portare breviarium et recitare officium, possint supplere dicendo aliquos psalmos, vel alias orationes quas memoriter sciunt.

8°. Tenendi et legendi libros hæreticorum et quoscumque prohibitos, ad effectum illos impugnandi, et aliis similem facultatem communicandi ; ita tamen ut prædicti libri non extrahantur extra illas regiones, nisi ad effectum tales libros mittendi ad nuncios sedis apostolicæ, sive ad tribunal sanctissimæ inquisitionis.

9°. Concedendi facultatem iis, unde spes aliqua divini cultûs promovendi appareat, retinendi apud se et legendi catholicos libros quoscumque vulgari sermone conscriptos, etiam de rebus in religione controversis, quotiescumque ita in Domino videtur expedire.

10°. Dispensandi cum ecclesiasticis super quibuscumque suspensionibus, inhabilitatibus, et irregularitatibus, præterquàm homicidii voluntarii.

11°. Celebrandi missas quocumque loco decenti, etiam sub dio, subtus terram, tribus horis ante lucem hyeme, unâ horâ post meridiem, etiam super altari portabili, bis in die ubi necessitas id postulaverit, et dummodò sint jejuni, et coràm hæreticis aliisque personis excommunicatis, dummodò minister non sit hæreticus, etiam sine ministro, et respondente fœminâ in necessitate.

12°. Hostiam sacram servandi loco decenti, sine lumine et aliis cæremoniis quibus uti solet ecclesia.

13°. Administrandi sacramenta omnia, exceptâ confirmatione et ordinibus, quibuscumque personis eorundem capacibus, omissis per necessitatem cæremoniis solitis, non tamen necessariis.

14°. Imprimendi et edendi libros catholicorum, tacito nomine auctoris, loci, typographi, et reliquorum, non obstante concilio Tridentino.

15°. Dispensandi cum conversis ad fidem catholicam super fructibus bonorum ecclesiasticorum malè perceptis, et absolvendi omnes Anglos et Scotos tantùm reconciliatos à retentione bonorum ecclesiasticorum, acceptâ ab eis promissione de stando judicio ecclesiæ quandocumque circa eorum restitutionem, illis interim admonitis ut faciant eleemosynas de fructibus, ex judicio confessarii, in catholicos pauperes, et memores sint illa bona esse reverà ecclesiæ[1].

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[1] [Compare this with the documents and dissertation in the appendix to the second volume of this history, cxxv—clvi. It must, however, be remembered, that the settlement effected by cardinal Pole was necessarily retrospective, and referred, therefore, exclusively to the alienations which had taken place under Henry and Edward. To the spoliations, by no means inconsiderable, committed during the reign of Elizabeth, it could afford no protection. These were still to be accounted for, to the rightful owners: and to these, and to these only, we may fairly suppose that the faculty, granted to the archpriest, was intended to apply. In illustration of this, I may cite a decision of the Roman penitentiary, pronounced in 1818, and referring to such of the ecclesiastical property of France, as had been secured to its present possessors, by the concordat of Pius the seventh. By that decision, the settlement of 1801 is distinctly acknowledged: but the right of ownership is carefully limited to the property seized *before* the date of the convention; and hence it is generally, and, I believe, universally, held by French divines, that all subsequent alienations are invalid.—To shew that Rome is not disposed to act in opposition to its own engagements, I will add the words of the two documents to which I have alluded, — the concordat of Pius, and the declaration of the penitentiary: — 1°. The concordat says,—"Sanctitas sua, pro pacis bono, felicique religionis restitutione, declarat eos, qui bona ecclesiæ alienata acquisiverunt, nullam molestiam habituros, neque à se, neque à successoribus suis; et consequenter proprietas eorundem bonorum, redditus, et jura iis inhærentia, immutabilia apud ipsos erunt atque ab ipsis causam habentes."

2°. The declaration of the penitentiary, contained in a rescript to the present bishop of Le Mans, and dated March 20, 1818, is as follows:—"Sacra pœnitentiaria, de expressâ apostolicâ auctoritate, consulenti oratori declarat bona ecclesiastica, à gubernio Gallico occupata ante conventionem initam, anno 1801, inter sanctam sedem et gubernium Gallicum, *in plenâ acquirentium proprietate esse;* adeò ut ea retinere, iis gaudere, atque alienare etiam illa, tutò et liberè possint, in foro tùm externo tùm interno, dummodò tamen acquisitio facta fuerit

16°. Applicandi piis usibus bona restituenda incerto domino aut hæretico[1].

17°. Dispensandi, quando id sibi expedire videbitur, super esu carnium, ovorum, ac lacticiniorum, tempore quadragesimæ.

18°. Restituendi jus petendi debitum, quando ex aliquâ causâ amissum est.

19°. Cum facultate communicandi aliis sacerdotibus in partibus illis laborantibus, quos idoneos compererit; id tamen non nisi magno hominum delectu et consideratè fiat.

20°. Quod R.P.D. nuncius apostolicus, pro tempore in Galliâ Parisiis degens, sit ordinarius Anglorum et Scotorum, cum omni potestate quam habent ordinarii in eorum diœcesibus, cum facultate dispensandi ad ordines sacros, ob defectum natalium, cum omnibus dictorum regnorum.

Feriâ quintâ, die 23 *Julii,* 1615.

Sanctissimus dominus noster, Paulus, divinâ providentiâ Papa V., in congregatione generali sancti officii, habitâ in palatio apostolico Montis Quirinalis, concessit supradictas facultates R.D. Gulielmo Harrisono, archipresbytero Angliæ.

CARDINA. MELLINUS,—*cum sigillo.*

The following is in the handwriting of Harrison himself,—

Has suprascriptas facultates concedo Reverendo Domino, D. Edwardo Bennetto, assistenti meo.

GULIELMUS HARRISONUS,
Archipresbyter Angliæ et Protonot. Apost.

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secundùm leges tunc vigentes. *Hortatur* tamen acquirentes istos, ut, pro suâ pietate ac religione, satisfacere velint piis missarum, eleemosynarum, aliarumque rerum similium oneribus, quæ bonis illis olim forsan infixa erant." Apud Lyonnet, de Justitiâ, cap. iv. art. ii. q. 5. printed among the works in the "Cursus Completus Theologiæ," lately published in Paris.—*T.*]

[1] [The doctrine, embodied in the concluding words of this faculty, was founded on the same principle as that of the deposing power of the popes. To the pontiff, it was asserted, had been intrusted a supreme authority to dispose of all temporal goods, for the spiritual welfare of his people. Hence, for just reasons, he could impose fines, he could confiscate property, and, consequently, could release unjust possessors from the obligation of restitution, in cases where the crimes or the heresy of the rightful owners required punishment.—" Pontifex habet supremam potestatem in bonis temporalibus omnium christianorum, licet indirectam, nempè quatenùs opus est ad regimen spirituale; unde, positâ justâ causâ, potest de rebus illorum disponere. Itaque potest imponere mulctas pecuniarias, et confiscationes bonorum pro criminibus; et consequenter condonare restitutiones hujusmodi hominibus faciendas: quod notandum, propter ea quæ debentur hæreticis, sive ex delicto, sive ex contractu: cavendum tamen scandalum" (Lessius, De Jure et Just. sect. ii. cap. 16, Dubitat. xi.).—To this, however, which never was the doctrine of the church, the reader will probably deem it sufficient to oppose the precept of St. Paul, in Romans xiii.—*T.*]

*** *Edward Bennet to More, October* 20, 1615.

[Original in my possession.]

Worshipful and worthy Sir,

Some ten days ago, I wrote unto you how that I had heard that Mr. Dr. Harrison was become our master, and how that Mr. Dr. Worthington was arrived, with some hope, as it was conceived, he should have been the man: but it is fallen otherways; neither can I understand any thing of him, but that he is gone northward, in the company of Mr. Harry Floyd, the jesuit, who arrived with him; a man in his own nature and disposition, as the report goeth, something forward. Now I must tell you that Mr. Harrison hath been with me now some eight days, and hath showed me his commission from Paul, with letters from cardinal Mellino. He hath the same authority his predecessor had; and his faculties be set down with the seal of the inquisition, as I take it; howsoever, with the authority of the inquisition: but, amongst other faculties, there is this one faculty, which his holiness hath bestowed upon us, which we may rather call an authority appointed over us (howsoever, there, amongst the faculties, is mention made of it), which goeth in this manner,—"*Quòd reverendissimus dominus nuncius apostolicus, pro tempore in Gallià Parisiis degens, sit ordinarius Anglorum et Scotorum, cum omni potestate quam habent ordinarii in eorum diœcesibus, cum facultate dispensandi ad ordines sacros, ob defectum natalium, cum omnibus dictorum regnorum.*"—Thus much out of his faculties. As yet, there is no man knoweth of it. For my own part, I think it fit we submit ourselves, with dutiful thanks, to what our chief pastor hath appointed. The authority that, all this while, we have laboured for, was to be amongst us here, because of the necessity we have of it, in respect of the sacrament of confirmation, for the keeping of the laity in order with ordinary jurisdiction, and taking up of controversies amongst ourselves; which is nothing helped with this authority abroad, as such as are acquainted with the news do imagine:—nay, some are of opinion it will much hinder the archpriest's government amongst us; for, when he is to correct any of his own, they will presently appeal to the ordinary at Paris, with whom if, by the means of the jesuits, they can make any friends, then will they outface what the superior hath done, and so all will to wreck, and the archpriest's authority be reckoned but little of. Therefore I do think that, when the assistants do come together, which cannot be before the next spring, then you shall understand more. I find Mr. Harrison altogether for us; and whatsoever his assistants will agree upon, that he will prosecute. Now he hath only acknowledged (in his letters to

the pope, protector, and cardinal Mellino) the receipt of his authority, showing the difficulties we live in, withal commended yourself unto him, for his agent. He hath taken no notice to either of them of this authority in Paris. When he hath consulted with his assistants, he will write of it, as shall be thought fit. He had directed his letter to Paul by yourself to be delivered, but that an ambassador here[1], who sent him the pope's breve, urged him that he might have the sending of his answer unto Paul, about that affair: but you shall hear from him; and I hope this will come unto your hands.

Mr. Roger Strickland is made assistant of that place, whereof he (*Harrison*) was before himself. There be two other places void, whereof he will presently make other assistants. I cannot think but that Dr. Worthington will seek after Mr. Archpriest: if he do, he will use all the means he can to win him. He will offer him an assistantship, if he will take it, and prove such a one as we may trust. I have sent him word of my desire to speak with him. If I meet him, I will do all I can to win him. This is all I can write unto you of the common: let us have your advice about this authority which is given over us,—I mean the nuncio of Paris. There be four priests lately broken out of Newgate: I think Mr. Lawrence Worthington, the jesuit, was one of them; but I am not sure of it. I pray commend me to Mr Price very lovingly. All mine salute you: and so, with all good wishes, I rest, this 20th of October, 1615,

Yours very assured,

RICH. SARRA. (*Edward Bennet*).

*** *Champney to More. January* 12, 1616.

[Original in my possession.]

Loving Sir,

Yours of the tenth of December being acknowledged, I will be short, because I have written here to Mr. Sackvile, and to father General[2], both which I remit to your judgment, to deliver or no, as you think fittest. * * I send you here letters from our superior, as I think, who hath written to his holiness and to cardinal Mellino, as Mr. Bennet saith. If they be not here, they come some other way. He will insist in his predecessor's steps. He hath written also to this nuncio, as to his ordinary by his holiness's appointment; which matter

[1] ["The nuncio sent the archpriest's bulls to the Spanish ambassador, and by him to the archpriest." Kellison to More, Nov. 15, 1615. Original in my possession.—*T.*]

[2] [The subject of this letter to the general I have mentioned elsewhere,—p. 74, note 1, ante.—*T.*]

they cannot tell how to take; having in it the same inconveniences which is found in bishops of our own, in a more eminent degree: for it is more like, the state will be offended with the prelacy of strangers, especially Italians, than they would be with that of our own; and therefore move more persecution:—Secondly, it can nothing benefit in those things which are chiefly desired, to wit, administration of the sacrament of confirmation, and consecration of holy oils, and the government of his flock, whereof he hath by this means the charge, being always absent:—and thirdly, being changed so often as nuncios use to be, he can never have true notice of the state of our affairs. All these things are truly of great consideration. I have advised them to admit (with thanks to his holiness for his care over our country) of the institution; signifying, notwithstanding, the difficulties or disconveniences thereof.

It was given out all over in England that Dr. Worthington was archpriest; and it is supposed that he thought so also himself. Mr. Bennet hath invited him to them, to try if they can win him. He still hangeth on with the jesuits. The news of England I have written in Mr. Sackvile's letter. * * This 12th of January, 1616.

Yours ever,

CHAMPNEY.

*** *More to the Cardinals of the inquisition.* 1616.

[His own Copy in my possession.]

Illustrissimi ac reverendissimi Domini,

Adjungitur facultatibus reverendissimo archipresbytero Angliæ concessis à suâ sanctitate in congregatione generali sancti officii, feriâ quintâ, die 23 Julii, 1615, hæc clausula,—'Quòd reverendissimus dominus nuncius,' &c.—Hujus intelligentiam quia nec archipresbyter nec clerus benè percipit, supplicant humillimè pro explicatione; cum enim hactenùs immediatè se subjectos semper sedi apostolicæ et huic sacræ congregationi agnoverint, multùmque laboraverint pro obtinendo episcopo et ordinario residente inter ipsos in ipsâ Angliâ, propter varias catholicorum necessitates, vix capiunt quid emolumenti sperari possit ex jurisdictione aliâ cujuscumque externi, imò plurimas inconvenientias advertunt, non solùm sibi proprias, sed communes etiam cum aliis presbyteris Anglis extra Angliam, ad quos etiam videtur authoritas hæc ordinarii non sinę gravi præjudicio extendi. Quomodocumque explicationi hujus sacræ congregationis acquiescere parati sunt; et promptam exhibebunt obedientiam mandatis sanctissimi et illustrissimarum dominationum vestrarum, pro quibus Deo, omnium bonorum largitori, et remuneratori, sacrificia et preces offerunt quotidianas.

No. XXVIII.—(*Referred to at page* 69).

*** *Kellison to Pett, alias Clark. July* 29, 1613.

[Original in my possession.]

Good Mr. Clark,

I have word by Dr. Champney from Mr. More of the great hope he hath, if I be here, and how Mr. More promiseth to free me if I should at first be tied. But I had rather enter with good conditions, and not expect them afterwards, when it may be too late: and therefore I wrote a letter to the nuncio, and many articles in a paper apart[1], as about the confessarius, the agents, the assistants, &c. The nuncio answered that he had read them all *attentè*, but thought not the time yet to propose them; but hereafter he promised all assistance. I caused Dr. Redman, who was here, to write to Dr. Clement, to deal with the nuncio; who writes that he hath, and that the nuncio likes so well of me, that he assures himself that I must not return, and that, after he heareth some conclusion from Rome, he will deal about my articles, and promiseth to do all he can possibly, that I and all may have contentment. But this to yourself.

I thought it not good to deal jointly with the archpriest and those of Paris, because it would have been thought that all I had written had proceeded from them, and so would have had but their credit; whereas now it hath mine, who am taken for indifferent; and they may write apart, as of themselves, as I have written to the archpriest and them: but I hear as yet nothing of my letters to the archpriest.

They at Paris, at my coming from Rheims, wished that I should not deal with the nuncio, but with the protector immediately; but I being by the cardinal protector directed unto him, I might so have hazarded the loss of them both; whereas now (for I have written to the protector also a long letter) I may have them both for our patrons.

One writeth from Rome that Mr. President altogether complieth with father Owen and Mr. Fitzherbert; which some think he doth, to procure his return to his presidentship (which, you know, I desire, so it may be the good of our college and country); but many think, as Mr. More and others, that he was sent for up, with intent to provide for him otherwise. Father Owen perchance will concur with him, to keep me out. The scholars here are mad at his inconstancy. But perchance this is but a bruit.

You may write to Mr. More that I have dealt all I can with the

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[1] [See the following paper. It was sent also to the auditor. See Kellison's letter, Jan. 21, 1614, post.—*T.*]

nuncio here, about good conditions, which they also desire; and how the nuncio hath promised all assistance, but will not, I fear, propose them at Rome so soon. You may write also my reasons why I concurred not with them; though indeed I dealt for us all. But you must desire him to use all secrecy; for if they in Rome, or some in Paris, can smell out any thing, they will use it to our disadvantage. Adieu, good sir. This St Martha. * * *

Yours as you know,

M. KELLISON.

*** *Articles mentioned in the preceding letter.*

[Original in my possession.]

Cum non sine ingenti animi dolore animadverterim quot quantisque malis, ex unâ discordiâ natis, Angli catholici jam diù fuerint afflictati, ut fui semper pacis amantissimus, sæpiùs mecum cogitavi (ab eo præsertim tempore quo sua sanctitas mihi, licet invito, hujus collegii præfecturam commisit) quâ potissimùm ratione pax inter eos conciliari possit: et quia probè intelligebam frustrà omnem adhiberi conatum ad effectus tollendos, nisi priùs causæ amoveantur, in hujus discordiæ causas et occasiones cœpi oculos conjicere. Multâ autem experientiâ didici, occasionem hujus litis et contentionis universalem in eo positam esse, quòd existimet clerus Anglicanus reverendos patres societatis (licet bono, ut verè credo, ex zelo, bonâque intentione) se cleri negotiis nimiùm immiscere. Quare, ut hæc opinio ex animis eorum qui de clero sunt penitùs eximatur, adeoque pax inter nos tam diù desiderata concilietur, hæc mihi videbantur proponenda:—

Imprimis, ad hanc pacem stabiliendam valdè conducere videtur, quòd confessarius hujus collegii ordinarius, doctus et pius, ex clero assumatur; hic enim, quia magis gratus, magis idoneus videtur: ingressus autem iste patris jesuitæ in collegium hoc, a sæcularibus sacerdotibus semper gubernatum, ad catechismum explicandum, et confessiones audiendas, occasio semper fuit invidiæ, hæc discordiæ, et, ut sæpiùs inaudivi, totum ferè clerum nostrum non leviter semper vulneravit, idque potissimùm ob ista:—1°. Quis non videt, consideratâ hominum fragilitate, quàm sit res ista invidiæ obnoxia? Nam si religiosus aliquis, alterius ordinis, collegium aliquod patrum, iis non petentibus, ad hoc munus obeundum ingrederetur, meritò de eo, quantumvis sancto et experto, patres conquererentur. Quare, experientiâ didicimus, nunquam adhuc in hoc collegio diù convenisse inter se vel confessorem istum et præsidem hujus collegii, vel illum et collegii alumnos:—2°. Hoc ducit clerus pro magno dedecore, quasi apud illum

nulli sint huic muneri obeundo idonei, apud quem tamen multi sunt theologiæ doctores et professores, et nullus ferè qui ad hæreticos et schismaticos in Angliâ reconciliandos non destinetur : quos omnes, ad catechismum explicandum et alumnorum conscientias dirigendas, tanquam minùs idoneos condemnare, durum habent :—3°. Videtur hâc in re collegium non leve damnum pati, quòd non possit aliquis ex nostris hujus officii exercitio sese aptiorem reddere ad majora posteà in Angliâ præstanda.

Secundum quod offendit clerum est, quòd nec Romæ nec in Hispaniâ agentes habeamus à nobis electos, sed vel patres jesuitas, vel alios ab illis constitutos. Ego sanè, quod ad me attinet, de diligentiâ patrum vel fidelitate nullatenùs dubito : at cum toti ab illis, pro pensione procurandâ et negotiis promovendis, pendeamus, et illi nonnullum jus in nos vindicare meritò possunt (quod erit litis occasio, et nostri hinc conjicient se à patribus gubernari), et nos, cum pensionis solutio diù aliquando differtur, non possumus tàm liberè patres, quàm possemus nostros, urgere.

Tertium quod semper contentionis præbuit occasionem illud est, quòd, jam à longo tempore, illi solùm in assistentes et prælectores admissi sunt, qui reverendis patribus jesuitis grati erant, sacerdotibus verò sæcularibus, et ipsismet alumnis, vel omninò ingrati, vel parùm grati extiterunt. Quare ad pacem in collegio et in Angliâ conservandam, videtur necessarium ut qui grati sunt clero et alumnis, si tamen docti, pii, et pacifici, ad collegium vocentur.

Quartum est ut permittatur commercium (quod jam diù videtur intermissum fuisse) collegii cum archipresbytero et assistentibus illius, et primariis in Angliâ sacerdotibus : nam quemadmodum reverendi patres societatis, et benedictini istic extra Angliam, in collegiis et monasteriis suis degentes, ex commercio cum suis in Angliâ magnum commodum reportant, ita et nos possemus. Nam si tale esset inter nos commercium, archipresbyter et assistentes ad nos idoneos huic collegio adolescentes mitterent, nonnunquam etiam eleemosynas; et quando in Angliam sacerdotes mittimus, illi locum illis pararent, eosque exciperent et dirigerent.

Quintum est, ut quemadmodùm, ante prædecessorem meum, collegium hoc proprios habuit theologiæ prælectores, sic inposterùm habeat: hinc enim multa collegio proveniunt emolumenta. Nam tales prælectores sese accommodant captui alumnorum, et ea illis prælegunt quæ Angliæ magis conducunt, et sunt collegio honori, et Angliæ utilitati : nam, docendo alios, seipsos perficiunt, aptosque reddunt ad libros contra hæreticos scribendos : et dum alii aliis in hoc munere succedunt, con-

tinuatur successio virorum doctorum, qui, si postquam cursum absolverint in Angliam destinentur, vel non habeant occasionem sese perficiendi, [vel] nunquam ad aliquam magnam perfectionem pervenient. Hinc videmus reverendos religiosos, cùm jesuitas, tùm benedictinos, Lovanii et Duaci (ubi tamen sunt studia publica) degentes, suos habere domesticos prælectores. Neque hoc collegio erit onerosum; nam illi iidem, qui assistunt præsidi, vel officio vice-præsidis, vel præfecti studiorum, vel procuratoris funguntur, possent lectoris munus obire: nunc autem qui his officiis funguntur ferè otiosi sunt, et oneri potiùs sunt collegio quàm honori.

Sextum, ut præses collegii disquirere solùm teneatur in rebus gravioribus assistentium suorum opiniones, non verò illis astringatur: nam si in assistentes illi solùm asciscantur, qui reverendis patribus societatis favent, vel etiam astricti sunt (ut tempore prædecessoris mei factum esse nonnulli suspicati sunt), si præses assistentium suffragiis astringatur, collegium videbitur à dictis patribus gubernari.

Denique, cum status Angliæ ecclesiasticus ex tribus potissimùm ordinibus constet, clero nimirùm sæculari, benedictinis, et patribus societatis, videtur necessarium ad simultatum occasiones tollendas, ut suæ sanctitatis mandato prohibeatur, ne alter alterum impediat, vel in alterius messem falcem immittat; sed sese singuli intra suos limites contineant, ut, ut professione, sic regimine, separentur:—hoc tamen non ideò à me dictum sit, ut patribus societatis non permittatur liberum suorum collegiorum regimen.

Hæc (Deum testor) non ideò à me proposita sunt, quòd jesuitarum regimen in suis collegiis non probem; nec quòd illos non judicem peritissimos confessarios, doctos, pios, et optimè de ecclesiâ Dei, nostrâque Angliâ, nobisque omnibus meritos; nec quòd infenso sim in illos animo, vel eosdem non amore et honore prosequar, semperque prosequi intendam; nec quòd amicitiam omnem inter nos et illos (absit hoc à me) dirimi vellem: sed ut, sublatis discordiæ occasionibus, meliùs inposterùm inter nos et illos conveniat, et major firmiorque amicitia contrahatur, et tùm illi nobiscum, tùm nos cum illis, majoribus viribus, quia magis adunatis, communem ecclesiæ hostem aggrediemur. Neque puto reverendos hos patres ægrè hæc laturos, quæ a me candidè sunt proposita, cum illi ex hoc collegio nullum commodum reportent, nullum honorem, majus fortè odium, ex eo solùm quòd illius regimini se immiscere aliquando visi sunt; cumque illi (ut nonnulli illorum mihi aliquando ingenuè fassi sunt) id solum à nobis, et meritò, expectent ac desiderent, ut eos non impediamus, et cum inimicis eorum (si quos habent), ad eos impugnandos, fœdus non ineamus. Hoc autem ego

pro viribus spondeo et promitto, et, si opus fuerit, juramento confirmabo, me præstiturum.

MATTHEUS KELLISONUS.

*** *Kellison to More. September* 9, 1613.

[Original in my possession.]

My much respected, good Sir,

I have received divers very loving letters, which give me great contentment, to see your zeal towards your country, joined with a great moderateness of mind. You inculcate much one point especially, to which I am as willing to give you satisfaction, as you to desire[1]: but I am counselled by the nuncio (to whom I am referred, and whose sincerity I have no cause to suspect, but great cause to assure myself of it) not to move such points as that as yet, for fear of hindering all. Assure yourself, good sir, that, as I desire to entertain peace with all, knowing how *we* always lose, *others* get, by our contentions, so I desire especially to have correspondence with my own body, and to seek the good thereof; and this, if I stay, you shall always see: and I have proposed to the nuncio, by word of mouth, by letters, and memorials, that point you specify, and many others; and the nuncio writes that he hath proposed already one or two main points: but if he and others counsel me as yet to abstain from proposing some things, which, they say, may be better proposed, and will more easily be heard, hereafter, what would you have me do?—especially they telling me that I may hazard all, and that there hath been a demur in our matters, by reason that I kept not some intentions secretly enough. I am bidden to hope well, and so I hope you may also hope well: for alas! why came I to this troublesome place, from a place where I was so well beloved, and am still desired importunately, where I had a quiet and honest condition, and was promised, under the bishop's hand and seal, the prebend and dignity of the great church, after the decease of one who is almost fourscore years old, and where, even tomorrow, I may have much more than I had, but only to make peace, and to procure the common good of our clergy and college, as much as my unableness will permit? One writes to me from Paris that the doctors[2], now I am come hither, make themselves sure of the victory, &c.; which though I do not believe, yet by this you see secrecy and discretion is now especially necessary, when men are so apt to judge and write, and thereby may

[1] [The point urged by More was, that Kellison would withdraw the agency of the college from Fitzherbert, and place it in his hands.—*T.*]

[2] [The members of Arras college.—*T.*]

now more easily hinder. I have written to the auditor long since; lately to the protector, to whom I signify your writing about the reception of the rules[1]. I sent by Mr. Clark[2] the auditor's letters to you. I wrote to you long since also by Paris. Sep. 9.

Yours ever,

M. KELLISON.

*** *Kellison to Pett, alias Clark. Nov.* 2, 1613.

[Original in my possession.]

Good Mr. Clark,

I sent a letter to you by sir Ralph Babthorpe's man: * * * since then, I received a letter from the nuncio, by which from his holiness and cardinal Burghesio he nominateth me president, and commandeth all to obey me as president, and bids me also publish this: but because, a little before, I had written to him, that, unless the superiors will take away at least the chief causes of our dissention, I despair of conserving peace long, and therefore desired (that supposed) to return; though otherwise, if they would take away these causes, I was ready to employ my labours and life: and because I had written the same to the auditor, and had proposed also in particular the means to give contentment, according as I had talked with you, and had had as yet no answer from either of them,—I desired the nuncio that I might make a demur, and not publish this my authority, as neither have I; though some guess at it, and some, I think, know it. I pray you signify thus much to Mr. More, and desire him to commend me to Mr. President, and assure him that I am so far from seeking his place, that, peradventure, this my exception may be the only cause to bring him hither again. If I do take the charge, I will write to the protector, to have a care of Mr. President, as I pray you bid Mr. More tell him; for now I cannot write to either. * * *

From Rheims I am still importuned; and they offer to keep my place yet this twelvemonth for me. I am this time perplext, fearing either to take this charge or to refuse it;—et quid seligam ignoro. Pray for me, I pray you. This 2 Nov. 1613.

Yours as you know,

M. KELLISON.

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[1] [See Melling's letter, June 22, 1613, p. cxxxvii., ante.—*T.*]

[2] [Robert Pett.—*T.*]

*** *Kellison to More, November* 14, 1613.

[Original in my possession.]

Good Mr. More,

Mr. Dr. Champney was here lately, by reason of business which he had at Arras, wherein I helped him what I could; and by him you have heard, ere this, what I have done to procure the good of this college, and the contentment of all. In the time he was here, I had letters of my institution: but I was so loath to undertake this office, especially not knowing any particulars, nor having had answer to what I demanded, that I published not the letters in eighteen days, and wrote to the nuncio and the protector, to have leave to conceal them till I had further resolved: but, at last, pressed by new letters from the protector and the nuncio, and promised all assistance, I undertook the charge, *volens nolens*, upon St. Martin's day, and was received with greater congratulation than I had joy. I have written now to the pope and his nephew, and sent my letters to the nuncio; as also to the protector and auditor general; and of them all, after thanks for the opinion they had of me, I desire that consideration may be had of the things I proposed, and I excuse the priests of England from the general calumniation of Widdrington. I am put in hope that, if I deal sincerely, only for the good of the college, I shall in time be heard, and they that oppose against me (as I hear some have) shall get no credit; but that credit will be given unto me before them: and so, I am counselled yet for some time to deal alone, by myself, and am told that the pope, who himself particularly dealeth in our matters and principally, will like that best. And so, assure yourself I will not be too slow in proposing those things which shall be to the honour of this college and our clergy. In the meantime, you must cause our brethren to shew themselves forward for the pope's authority, and against the oath; for some have buzzed in his ears as though they were not so sincerely affected that way; and therefore they must ply the protector and cardinal Burghesio with good letters. I will get what I can of superiors for this college here and our clergy abroad; and do you procure also what you can; and assure yourself no good will shall ever want in me, nor effects of good will, when opportunity shall serve: for I have undertaken this charge only for the common good, and for no private interest; and so, in time, I hope all shall go well. We here are in great peace. * * * So in haste, for I write many letters, I take my leave. Douay, 14 Nov.

Yours for ever,

M. Kellison.

*** *Kellison to Champney, Jan.* 21, 1614.

[Original in my possession.]

Good Mr. Doctor,

These are now to advertise you that * * * I lately received another letter, in answer to one which I had written to the auditor, in which I proposed many things, with reasons for establishing union and peace. He answereth to one point only, about the confessarius, and saith that he thinks not good to propose that to his holiness, he having, some months since, determined that nothing is to be innovated about the confessarius: only, he saith he hath dealt that the jesuits shall hear confessions gratis. And he saith it is not good to begin a reformation with this point, lest it should be thought the jesuits should have been the cause of our deformation. I have written to the nuncio at Brussels, that I think the reason why he answereth only to that point of the confessarius is, because I am traduced at Rome to have expelled, of my own authority, the confessor. I desire him to defend my innocency in this point, who knows it best, how father Walpole was called away by his superiors, and father Rand, who is a very good man, was sent in his place. I tell him that neither father Walpole had so little cunning, as to depart for me, knowing I could not expel him, nor I so little wit, as to attempt what I could not effectuate. I tell the nuncio that I know not yet what is expected of me. If to be a friend to the fathers without our own prejudice, and not to meddle in their matters, or oppose against them but in my own defence, I am so. If to be governed by them, I tell him that he told me his holiness's mind was, that they should not meddle with the government, nor have any hand therein, *directè* or *indirectè*: and this I cannot do, because it is *fundus calamitatis nostræ*, and the occasion of all our jars; and therefore I proposed divers points, to except this college; not to break friendship with them, but to be better friends after our separation, as Abraham and Lot were. I have desired Mr. More to deal in my name with the auditor, about all these matters, but, as yet, not to take the name of agent, though I intend that also, and truly ever did. * * * This St. Agnes, 1614.

Yours ever,

M. Kellison.

No. XXIX.—(*Referred to at page* 71.)

*** *Kellison to cardinal Borghese, April* 23, 1614.

[More's copy in my possession.]

Illustrissime Domine,

Ex quo ultimò scripsi ad illustrissimam dominationem vestram

incidit scholaribus controversia de confessario societatis Jesu, jam tertiò mutato ex quo tempore à suâ sanctitate et illustrissimâ dominatione vestrâ huc missus sum. Ægrè tulerunt omnes, post dicessum patris Walpoli, substitui alterum è societate; ideoque quamprimùm libellum mihi supplicem obtulerunt, aliorum nomine, ex primis nonnulli pro confessario de clero ipsis concedendo. Pacavi tamen ipsos spe hujusmodi gratiam à suâ sanctitate et illustrissimâ dominatione vestrâ tandem consequendi; atque ita suasu meo compuli ad eundem patrem societatis adeundum. Sed cum et ipse rursùs avocaretur, et alter, penè novitius, in ejus locum missus esset, non petito priùs consensu meo de viro, nec vel literis ullis ad me datis, in testimonium sufficientiæ ejus (qui quidem modus agendi etiam mihi, ut fatear, haud satis æquus videbatur), non potuerunt se ultrà continere quin et libellum secundum supplicem mihi in eandem rem denuò offerrent, significatis similiter aliquot eorum gravaminibus: quos cum ad onus tanti momenti rursùs adigere commodè non possem, nec quid ipsis responderem pro certo haberem, aliquoties ab illustrissimo protectore in mandatis accipiens ne quid innovarem, ipsum libellum quem mihi obtulerunt ad illustrissimam dominationem vestram transmittendum putavi, ut, eo benè perpenso, secundum voluntatem illustrissimæ dominationis vestræ et sanctitatis suæ ipsis satisfierí queat. Hæc breviter tantùm, præter ea quæ alias scripsi, modò insinuanda existimavi, ne illustrissimæ dominationis vestræ gravissima negotia nimiùm interpellarem. Deus Opt. Max. &c. Duaco, 23 Aprilis, 1614.

Illustrissimæ dominationis vestræ servus humillimus,

MATTHEUS KELLISONUS.

*** *Scholars' Memorial to Kellison, enclosed in the preceding, April* 20, 1614.

[More's Copy in my possession.]

Reverende admodùm et eximie Domine præses,

Quantoperè meritissima illa vestra super nos præfectura, et animus vester, amorem in nos et hujus collegii publicam salutem spirans, dejectos omnium animos refecerit, jam diù satis adexperti sumus. * * * Illæ nempè de confessario subortæ dudùm, si non contentiones, saltem animorum contusiones vestro nutu, cui promptissimè acquievimus, sedatæ sunt: et quia sic per eximiam dominationem vestram persuasum nobis fuerat, omnia in meliùs, et hujus collegii, ac proindè nostrorum omnium pacem, pro quâ (Deo teste, qui nos et nostra omnia judicaturus est) duntaxàt laboravimus, aliquando, idque brevi, cessura, duriorem sortem pro tempore subire non recusavimus. Sed

quia inimicus homo zizania superseminare in agro bono non desinit, nobis quoque, in tranquillo hactenùs sub vestro dominio degentibus, insidiari non dubitavit. * * * Gravamina quidem quibus angimur plura sunt, quàm ut brevi hoc compendio consignentur ; adeoque ea in aptiorem locum, si necesse fuerit, transferenda relinquimus. Quæ verò nunc maximè optamus, ad dolores nostros relevandos, atque ita pacem et quietem huic collegio conciliandam, summatim ista sunt,— ut, mediatione et interpellatione vestrâ ad illustrissimum protectorem, vel sanctitatem suam, liceat nobis habere confessarium de ordine nostro, quemadmodùm jus fasque postulant ; ut concedantur nobis viri de clero docti, pacifici, pii, et omnibus grati, quales de nostris multi sunt apud exteros, qui et dominationi vestræ assistent in consilio, et publicè in collegio prælegant, quemadmodùm non ita pridem apud majores nostros, ad collegii splendorem et Angliæ maximum bonum, factum esse cognovimus ; denique, ut præsint nobis unanimes et quieti, nec tam facilè primorum locum occupent ii, qui nos et collegium nostrum perturbent, magis quàm promoveant. Nam, quod ad confessarium attinet, tanta quæ hinc exoriri videmus incommoda (quorum non dubitamus eximiam dominationem vestram utcumque testem esse) penitùs tollerentur, si de clero esset qui à confessionibus assideret. Siquidem, ut cætera omittamus, quàm molestum sit nobis, quàm in se malè audiat (quod et contra judicium et consilium omnium esse, qui de rebus conscientiæ tractant, quivis norit), toties commutari et transmutari confessarium, quis facilè non suadeat ? Et modò, non ægrè ferre non possumus tàm subitò, tàm inopinatò à nobis abstrahi illum, cujus pacatâ conversatione universis, quantum ab externo expectari posset, satisfactum fuerit, et novum ac penè novitium, nec nostri ordinis virum in animarum curâ substitui. Quàm gratum omnibus foret si de clero esset confessarius, et quàm inde fons ipse, vel saltem fomes malorum et miseriarum, quibus sub diutinâ animorum perturbatione laboravimus, tolleretur, ipsa experientia brevi comprobaret. Satis est quòd domi sint qui nos quotidianis adinventionibus suis vel de foris informationibus conturbent ; satis quòd hactenùs mediis illis quibus pax et honor hujus collegii conciliaretur, viris scilicet illis doctis, pacificis, gratis, qui nobis utilitati essent et honori, eximiæ dominationi vestræ auxilio et solatio, careamus. In hâc saltem re tanti momenti nobis satisfieri cupimus, si non ut confessarius ordinarius de clero sit, saltem ut sit de clero quispiam qui extraordinariè assideat (quod moris fuit usque ad præfecturam eximiæ dominationis vestræ), dùm de reliquis provideri possit. Illud miserrimum quis nesciat, ut inviti etiam cogamur ad onus illud, quo gravius homini imponi non potest ? Non accepimus

(quod ait apostolus) spiritum servitutis iterùm in timore, sed accepimus spiritum adoptionis filiorum. Non enim ii sumus qui, relictâ patriâ, relictis fortunis omnibus, propter evangelium Dei et animarum salutem, hìc etiam patiamur quod nec apud barbaros et inhumanos apostolicæ fidei hostes expectare possumus. Quippe tormentis subjici, lacerari, laniari, et si quid durius evenire potest cui ferendo pro fide Jesu Christi et apostolicæ sedis authoritate nos hìc sacravimus, minus est quàm animorum afflictione et inquietudine torqueri. Verumtamen si ista quæ patimur æqua et rationabilia eximiæ dominationi vestræ visa fuerint, adhuc jugum hoc sustinere etiam cum damno nostro non abnuimus: non enim subjici grave est, sed ita subjici ut potiùs servire videamur. Porrò eximiæ dominationi vestræ negotium istud incumbere cupimus, ut pristinæ paci et splendori ista familia, quæ se præfecturæ vestræ desideratissimæ subjecit, restituatur." Hoc est quod speramus, quod et expectamus, promptiores de cætero ad obediendum, quàm eximia dominatio vestra, vel quispiam qui vero nos affectu prosequitur, ad imperandum. Actum 12 Calendas Maii, 1614.

Eximiæ Dominationis vestræ filii obedientissimi,

Edwardus Witbeius.	Franciscus Ramirus.
Joannes Worthingtonus.	Gulielmus Farrarus.
Edwardus Smitheus.	Joannes Buckettus.
Ricardus Robinsonus.	Ricardus Philips.
Thomas Greeneus.	Edwardus Colbeccus.
Joannes Orbastonus.	Edwardus Missendinus.
Thomas Fieldus[1].	Georgius Lathamus.
	Georgius Boys.

No. XXX.—(*Referred to at page* 72.)

*** *Kellison to More. Sept.* 14, 1614.

[Original in my possession.]

Good Mr. More,

I am as glad of your recovery as I was sorry for your sickness, which was the cause why I abstained from writing unto you.

I was called by the nuncio to Brussels, these days past, where as yet I am. The cause why the nuncio called for me was, to shew me the decree sent from the protector, concerning the visitation made, a little before my coming to Douay. Concerning the point of the confessarius, it is decreed that nothing be innovated: yet the scholars are

[1] [Thomas Maxfield, who, two years later, suffered death for his religion in England.—*T.*]

bound to confess to the ordinary confessor, who is a jesuit, only once a month; and, for other times, I may appoint two extraordinary confessors, to whom they that will may confess: yet the ordinary must sit in the college, and catechise as before. I gave in writing to the nuncio my mind concerning this point, but briefly, having talked with him before at large, and having also often written. I said that, although I knew this would contristate not only the scholars, but also the clergy and very many catholics, yet, seeing there was no remedy, I would do my best to persuade the scholars to have patience. The nuncio saith that, in time, we may have better satisfaction.

Concerning my assistants, I am not bound nor tied to their voices; yet I must be *paratus* to *reddere rationem protectori*. And to this point I said that I had two assistants who are *inutiles*, to wit, Dr. Singleton and Mr. Williamson, and the former is also *noxius*. The nuncio inclines to have them out; only, he maketh difficulty *de modo dimittendi illos*. I have suggested some means: but I desire that I may have one or two in their places, who are grateful to the college and clergy; wherein I fear I shall have difficulty.

Concerning lessons, some are permitted: but I told and wrote to the nuncio that, seeing that henceforth we must keep a lesser number, we must, to do well, receive none but those that are capable of philosophy and school divinity; that so the sufficiency of the men may recompense the number: and so I desire two lessons at home in school divinity, and one in controversies; and, as for cases, I desire no lesson, because, seeing we are to and have no divines but such as are, or are to be, school divines (who cannot frequent a lesson of cases, having their others to frequent), that lesson would be superfluous and impossible: yet, because knowledge in cases is necessary, some may be given in the sacraments and *secunda secundæ*; the rest may be supplied by some exercise, every week or month, in cases. I desire these lessons at home, partly because our own readers may and can best accommodate themselves to the capacity of our scholars, and the profit of our country; partly because these domestical lessons have ever best contented them; partly because this is honourable to the college, and therefore the benedictines in Douay, and the fathers in Louvain, have divinity lessons within themselves, and, as I hear, the fathers in Spain and in St. Omer's too mean to have lessons of their own; partly because this is the only mean we have to perfect men, as Dr. Gifford, Dr. Stillington, Mr. Vavasour, Dr. Younger, Dr. Weston, and others have perfected themselves, and made themselves eminent and fit to write against heretics, and to credit the cause: whereas if, presently after

their course ended, they had not taught, they would have been no more eminent than others.

I am not permitted to choose my assistants, or appoint or change readers, which will be a thing of difficulty; for when I shall propose the men whom I desire, opposition by some will be made, and at least delays will be very prejudicious.—Other offices are at my disposition.

Fearing that, these things, many of them, standing in force still, which were occasions of disgusts, I shall hardly give the contentment, or effectuate the good, which is desired and expected, I have been sometimes in mind to render up my office, unless they will yield to my petitions: but many of our sincere friends wish me in no case to do so; for if, upon that occasion, the college should be taken from us, or given to one that would be for others more than his own body, all hope would be lost: whereas now, keeping possession, something more in time may be gotten. Wherefore, I do not take that desperate course; though, I assure you, I have little courage to bear still this burden.

I have written to Mr. Colleton what you wrote, concerning their nomination. That you left me out you did well; for I assure [you] I have little courage to take either that or this office which I have, unless I might be better seconded. I doubt not but that you do all you can, as I also have done; but our superiors must dispose, we only propose.—Your letter to Mr. Colleton is sent.

I doubt not but that father Creswell, for his charity and love to our college and clergy, desireth peace amongst us and them; and, if every [one] would be so far forward as they should, it would be easily effected. This division hath been so distasteful to all, that methinks now we should seek to make an atonement betwixt ourselves, without troubling superiors; and I think our clergy (and I am sure of myself) would demand but reason, and would yield something of that which may seem to appertain to their right, to buy so desired a peace[1].

You still hope: I fear that superiors will hardly yield any more than they have done; we having already used so much importunity, and yet obtaining so little. But we must have patience, and rather suffer than murmur against superiors, especially of such authority. Brussels, this 14th of September, 1614.

Yours as you know,

M. KELLISON.

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[1] [This alludes to a proposed conference between More, on the part of the clergy, and the fathers Owen and Creswell, on that of the society. It was to be held in Rome, about this time, and was to have, for its object, the adjustment of all differences between the two bodies: but Creswell appears to have ap-

*** *The same to the same, November* 3, 1614.

[Original in my possession.]

Good Mr. More,

I received yours of the fourth of October some days since, and am glad to see you persevere in so good and strong a hope. I do not quite despair; and although, when I see how slowly matters go, and consider how little, after so long negotiation, we have obtained, I fear much, yet, when I look upon so many martyrs and zealous priests that have gone out of this house, and who, in their life-time, would have spent their blood, only to uphold this college, I hope much, and think, as you do, that it can hardly be that God should forsake us, though perchance, for some of our sins, and mine in particular, he justly might.

I have dealt much with the nuncio to have one or two grateful men here about me, as Dr. Champney, Mr. Haynes, who now is with my lord Montague, and divers others. He promised me he would assist me in this and other points; but, the last day, being informed by me of our extreme necessities, by reason of the delay of our Spanish pension, he thinks better to diminish, than, as now, to talk of having men admitted. * * *

I dealt with the nuncio to get hence Dr. Singleton and Mr. Williamson, and to have two others, more moderate and profitable for the college, in their place. He promised to assist me to get these two out, and said he was as willing as I, but the difficulty was *de modo.* I suggested unto him means also. What I shall obtain I know not: I shall see shortly, as I hope. And if any moderate order be taken, I will be content to sacrifice myself for the good of the college: but if our pension shall be thus delayed, if I shall have neither agents, nor assistants, nor readers, of my election, or grateful to me and the college, and consequently shall not be able to do that good I came for, I hope you and our friends in England will consent to let me go hence: for I have endured many accusations, difficulties, obloquies, and crosses since I came[1]; and have therefore done little of that I desired and in-

proached it without any views to conciliation, and, as was anticipated by the clergy, it led to no result. Some correspondence on this subject will be found in the "Illustrations of Dodd's Church History."—*T.*]

[1] [One of the accusations here alluded to was, that he "had admitted five or eight scholars above the number appointed by the protector"; whereas, in fact, the parties whom he had admitted were convictors, and paid the expenses of their maintenance and education. Another charge was, as usual, that he was a favourer of the doctrines contained in the oath of allegiance. To rebut this, he wrote and published his work, entitled, "The Right and Jurisdiction of the Prince and the Prelate."—See his letter to More, Octob. 8, 1614, in the "Illustrations of Dodd's Church History."—*T.*]

tended, and had rather beg than live another year in this manner. I would devour all difficulties, so some notable good might come of them; but to vex myself, and do no good, is to little purpose. * * * And so, with heartiest commendations, I commit you to God, myself to your holy prayers and zealous endeavours. Douay, 3 November.

M. KELLISON.

*** *The same to the same. Feb.* 11, 1615.

[Original in my possession.]

Good Sir,

I received your letter, in which you advertised me of the coming of our orders, which were sent unto me with an indult, of the same form my predecessors had; as also from the nuncio I have letters patents of my presidentship. I have caused, seeing there is no remedy, the orders to be received. I did, indeed, propose reasons against the confessarius, but, as you partly know, with all modesty and submission; and so I have written that I hope they will not think much, my intention being only peace: but now I obey, when I see they will have it so, and submit my judgment to theirs.

The nuncio wrote to me that order was come for removing Mr. Williamson, and for calling, as I have done, for Mr. Kenion (whom with others I proposed to the nuncio), to be assistant and reader in his place; and some after order will be taken to remove Dr. Singleton. And if I get another sure man in his place, and a sure extraordinary confessarius, I shall have two, at least, grateful assistants. And Dr. Norton doth comply, and shew himself much more moderate, unless he dissemble, as some think, though I cannot think so. And I shall have two school lessons, and one of controversies, within the college:—but this must not yet be talked of, lest it be hindered.

I have received out of Spain bills for a thousand ducats, and am put in hope of more shortly: and Mr. Colleton, and Mr. Barker, and Mr. Bennet sent me threescore pounds; so I do now a little *respirare*. If that *collecta*, for which I moved Dr. Thornhill, went forward, we should do well. I pray you commend me most heartily to Dr. Thornhill, and tell him I count myself and the college beholden to him for his charitable offer. So, with heartiest commendations, I commit you to God, and commend myself and my charge to your good prayers at those holy places. Douay, this 11 of February, 1615.

Yours ever,

M. KELLISON.

*** *The same to the same. Sep.* 8, 1615.

[Original in my possession.]

Good Mr. More,

I have yours of the fifteenth of August, by which I was glad to understand that you had delivered my letters to Monsignore Mozzenega, and that he took them so well. I now write unto the protector, to thank him for the care he hath of our pension in Spain (having commended the solicitation thereof to his brother's agent), as also for the care he hath of me: for he hath of late written to the nuncio, to dismiss, with all moderation, Mr. Williamson who is gone, and Dr. Singleton who is to go, and to give me fit assistants, "*et quelli che sono più grati al presidente Chelisono*":—these were his words. But this must be secret as yet.

I wrote oftentimes into England for Mr. Kenion, as the protector commanded I should; but he hath excused himself. I have written for others, but yet cannot get them: in which delay I fear danger. I have named divers; but I perceive I must, at first, have none but such, against whom is little public exception: but I will look all I can that they be sure. One Gervase Poole and another are named to me; but I have desired Mr. Colleton to send none, unless he first examine his sincerity, *ne error novissimus pejor fiat priore.* Two others have been proposed; but I have excepted against them to the nuncio:—so you see *quale periculum in morâ.* The nuncio sure is my friend: and I am glad with all my heart to hear of Mozzenega his sincerity. * * *

September 8. Yours ever assured,

M. Kellison.

No. XXXI.—(*Referred to at page* 73.)

*** *Kellison to father Creswell. Jan.* 1616.

[Kellison's own copy in my possession[1].]

Right reverend good Father,

I have deferred all this while to write, because I heard you were holden in bed by your gout, and so thought best to expect an intermission, which I hope ere this it hath granted you.

I arrived at Brussels, the day before the old nuncio departed, and had an hour's talk with him. He shewed great affection to you, and demanded what you and I had concluded concerning those two[2]. I

[1] [This copy was sent in a letter, dated Jan. 27, 1616, to Dr. Redman, which is thus addressed,—"To the Right Worshipful, Mr. Dr. Redman, canon of St. Omer's, at St. Omer's.—In this is a copy of my letter to father Creswell, for the removing of Dr. W. and Dr. S."—*T.*]

[2] [Singleton and Weston.—*T.*]

told him that you put me in hope to provide for them. Since that, I received a letter from the new nuncio, dated the seventeenth of this month, in which he writeth that he hath written to you, to desire you to conclude with me, and then to be informed of the conclusion concerning the said two. Wherefore, you may please to signify to him, or me, or both, what you mean to do: and you may assure yourself that, whosoever depart hence, or come in their places (who shall be no other than the protector shall first approve), I will, as I have often said, look to it that here be no opposition against you; but that every one do his office for the good of the college, and not to meddle with other men's affairs. Or if any should choose to prove troublesome, and would not be ruled, I would be the first that should inform against him: for I desire nothing more, as God knoweth, but that we may live and die friends, and take away the scandal and discomfort which comes by these jars; that henceforth we may live without jealousies of one another. And I hope, to buy this so necessary peace, which cannot but be most for the good of our country, our cause's credit, and the honour of God, you will, out of your charity, yield something. And so, with my most hearty and respectful commendations to yourself and father rector, &c.

*** *Kellison to More, Feb.* 9, 1616.

[Original in my possession.]

Good Mr. More,

I desire to have many letters from you, because they be always comfortable. * * * Touching Dr. Smith, I wrote before what the old nuncio said: what this new one can yet do (he being yet scarce settled) I know not; but I wrote to him of changing our extraordinary confessor into an ordinary; but he answereth,—"*non video quomodo possit hoc fieri, cum mihi non liceat aliquid immutare, per constitutiones collegii.*" But he writes that he hath written to father Creswell, as I also have; for to him the old nuncio, having talked with him *de modo dimittendi*, did commit the matter, for the manner of their dismission; but he delays as yet: yet I hope the nuncio here will see the protector's order (on which I mean to stand) executed for their dismission. I wrote to the auditor about Dr. Smith and this point also; and I hope, by the auditor's means (and your letters give me the hope) that both he in time shall be gotten, and these dismissed. In the meantime, I have matter of great patience: I pray God I may have patience. If your matter, proposed there and seconded from England, go forward, it will be a great furtherance of us all. If we

shall be still delayed (as I hope not), I will write roundly to his holiness for men fit for this house, else I will demand congé, if you and my brethren in England will consent: and if the archpriest write also, something may be done.

I heard nothing of the archpriest's letters: perchance the nuncio had not time to tell me, for I had but one hour with him: yet he sent me word how he had sent the archpriest's letters of institution to the Spanish ambassador in England; and he sent me also a copy of his faculties. * * *

I think it best you stay still there, till we have one to succeed you; though you might do much good in Spain, especially if you can procure a letter from the protector to me, to command me and my assistants to make you a procuration; for else, these assistants will not assist me but resist me.

This house is much better for discipline and diligence in studies and piety, though I say it; and we have paid a good part of our debts; and our number is lesser, but our refectory, clothes, and all is more honest; and if we get money from Spain, and have but two or three men, especially if Dr. Smith be one, this college will presently flourish; but hitherto I have had my hands tied; else, the first three months, this college had been in good state. Mr. Green can tell you that I want no good will, and have not ceased to write for men, and now of late I have written to the new archpriest and others. And if I could bring this college to good estate, I shall be content to sing *Nunc dimittis*. If not, God hath called me hither to excuse me, not that he thought me worthy to be an instrument of so great a good, which I have ever so much desired. Yet I hope still, in our martyrs' prayers, and the desire that some of them had to place me here. * * Cease not, I pray you, to suggest to the auditor the protector's order for Dr. Singleton's dismission (as for the other, let me alone), and for Dr. Smith's admission, or some others who are fit and faithful. And so, with heartiest commendations, I commit you to God, and myself to your holy prayers. Douay, this 9 of February, 1616.

Yours for ever,

M. Kellison.

*** *Kellison to the Pope. May* 5, 1616.

[More's copy, in my possession.]

Beatissime Pater,

Placuit vestræ sanctitati mihi, pro eâ quam de me, licet indigno, conceperat opinionem, collegii Anglorum Duaceni regimen,

difficilem admodùm provinciam, committere; quam ego, vestrâ authoritate ac gratiâ fretus, ita obivi, ut, illud idem collegium vestrum ad normam regularum nobis præscriptarum administrando, pacem in ejus membris, Deo favente, conservare studuerim, atque etiam conservaverim, collegii disciplinam nonnihil collapsam restituerim, et literaria exercitia, pietatisque studium, quantum in me erat, promoverim; quod ut Angliæ nostræ saluti, ita et beatitudinis vestræ solatio cedere, indiesque cessurum, spero. Verùm sunt inter nos (quod dolens scribo), qui domesticam pacem nonnihil interturbare, et me, meorumque collegarum, atque etiam alumnorum animos plus nimiò inquietare facessunt. Ii sunt doctores bini, Westonus et Singletonus nuncupati, quorum nomina ad illustrissimum D. Bentivoglium, qui vestræ sanctitatis nuncii, apud principes Belgii, summâ cum laude omniumque gratulatione, functus est muneri, necnon ad illustrissimum vestrum nuncium, hujus in eo munere successorem meritissimum, sæpiùs invitus detuli. Alter siquidem, Westonus, præterquàm quòd ab omnibus pro nimiâ indiscretione, levitate, et animi præcipitatione, notetur, alio insuper vitio laborat, illustrissimis vestris nunciis præfatis satis noto, usque adeò ut ejus in hoc collegio vestro præsentia valdè periculosa sit[1]. Alter, Singletonus, præterquàm quòd prorsùs inutilis sit, nec suo muneri, vel collegii bono, ullo modo invigilet, adeò turbulenti et seditiosi ingenii est, ut non in Angliâ solùm, dùm ibi sacerdos commoraretur, sed in his etiam partibus, ubicumque veniret, turbas et simultates concitaverit, omnibusque permolestus extiterit, quemadmodùm et illustrissimus D. Bentivoglius et Angli catholici, in his partibus et alibi agentes, plus satis norunt; quo etiam neminem nostris magis ingratum novi, neminem qui subdolâ conversatione plus possit alumnis insidiari, collegii honori apud alios detrahere, susurrationibus et sinistris informationibus nostrorum omnium pacem et quietem infestare ac perturbare, cujus in similibus officiis unica est felicitas et opera. Dolens hæc vestræ beatitudini communico; pro nostrorum tamen omnium bono, vestrique collegii honore, communicanda sunt. Accedit quòd nuper Audomaropoli et Bruxellis, ubi est frequentior Anglorum conventus, horum (uti communis omnium hìc commorantium fert opinio) informationibus, rumor quidam non minùs falsus quam scandalosus, et hujus vestri collegii honori plurimùm detrahens, sparsus sit, quo ferebatur esse in

[1] [Pett, writing to More, thus alludes to this subject,—"For that business of Dr. Weston's, I would never have written word of it, if you had not mentioned it unto me. I shame to think of it, much more to write it. If Balaam's ass chance to light on it, I fear it will make others blush before himself; for in that kind he is said to be impudent." July 23, 1616. Original in my possession.—*T.*]

collegio Duaceno nonnullos, qui prætensæ fidelitatis iniquissimo juramento quod à rege Jacobo catholicis in Angliâ proponitur, necnon impiæ Widdringtoni opinioni quoad sedis apostolicæ in regibus deponendis authoritatem, faverent applauderentque : quod cum ego ab amicis[1] accepissem, mihique ex officio incumbere perspicerem, ut collegii honori pro virili consulerem, convocatis assistentibus, senioribus, omnibusque theologiæ studiosis, qui soli aliquid his in rebus perspectum habere poterant, rem totam illis aperui, et, eâ quam vestra sanctitas mihi in hoc collegio contulit authoritate fretus, omnibus et singulis publicè, in virtute obedientiæ, mandavi, ut, si quem in collegio nossent juramenti prædicti vel opinionis Widdringtoni fautorem, eundem mihi quamprimùm indicarent : ad quod singuli, suo quisque ordine, responderunt se juramentum illud, juxta mentem sedis apostolicæ, condemnare ; opinionem verò Widdringtoni, tanquam impiam et catholico homine indignam, execrari : ac præterea neminem nosse qui juramento vel Widdringtoni opinioni prædictis adhæreret. Et ne quis causaretur se ausum non fuisse liberè coràm omnibus quod in mente habuit proferre, paulò post singulos privatim ac seorsim evocavi, ut quisque sincerè et candidè, tùm quid ipse de præfatis quæstionibus sentiret, tùm quid de aliis in collegio nosset, eloqueretur : omnes autem magno cum zelo et affectu tàm juramentum, quàm Widdringtoni opinionem execrati, suam attestationem postmodùm lubentissimè subsignarunt, quam ego, ad hujus vestri collegii honorem sartum tectum servandum, beatitudini vestræ mittendum duxi. Porrò DD. Westonus et Singletonus, tàm publicè quàm privatim, à me conventi et rogati ut, si quem nossent in collegio illarum accusationum, quæ alibi spargebantur, reum, manifestarent, quasi meâ non interesset, aut ego aliquid in eos authotatis non haberem, mihi roganti ad rem respondere detrectarunt[2]: à

[1] [It was from Dr. Redman, canon of the cathedral of St. Omer's, that he heard of the report. Douay Diary, i. 140, where a copy of the paper, signed by the members of the house in contradiction to the charge, is inserted.—*T.*]

[2] [They refused to answer any questions as to their own opinions of the oath : but Weston acknowledged that he knew of no person in the college who abetted its doctrines ; and Singleton was clearly understood to adopt the declaration. This fact is attested at the foot of the paper, which was drawn up and signed, on this occasion, by the order of Kellison :—" Nos infrascripti sacerdotes testamur dominos DD. Westonum et Singletonum, more cæterorum à D. Præside interrogatos ut suam sententiam de rebus prædictis proferrent, et, si quempiam in collegio nossent in iisdem S. D. N. Pauli quinti determinationi refragantem, eundem proderent, respondisse se nolle quicquam iisdem de rebus in publico proferre : D. verò Westonum speciatim dixisse se nullum positivè nosse faventem juramento vel Widdringtoni opinioni, cujus etiam responsioni visus est D. Singletonus per omnia assentire. Gulielmus Farrarus. Carolus Rosseus. Georgius Lathamus. Georgius Boys. Edwardus Missendinus. Edwardus Colbeccus."—Original in my possession.—*T.*]

quo tempore, nescio quid inter se factionis moliuntur. Hoc itaque, beatissime pater, vestram sanctitatem rogatam cupio, tùm ut non aliter de hoc vestro collegio et omnibus ac singulis ejus alumnis sentiat, quàm ipsorum erga sedem apostolicam ipsiusque cleri nostri (ex quo nuperrimè duo sacerdotes in Angliâ martyres ob ejusdem sedis apostolicæ defensionem strenuè occubuerunt, aliique non ita pridem in exilium missi, complures autem ob eandem causam in vinculis captivi detinentur) devotio et zelus commerita fuerint, tùm etiam ut idem collegium ingratis et molestis hospitibus diutiùs non gravetur. Scripserat jam ab anno illustrissimus protector noster ad illustrissimum D. Bentivoglium, tunc temporis nuncium vestrum meritissimum, pro. D. Singletono amovendo; sed nescio quorum interventu factum sit, ut hìc adhuc magno cum collegii damno ac dedecore detineatur. Ut autem D. Westonus amoveretur, illustrissimus D. Bentivoglius, cum ei quiddam aliud de eo significassem, omninò expedire judicavit: hactenùs verò nihil etiam de eo in contrarium statutum est. Vestræ ergo beatitudinis ut intercedat authoritas, ad pedes vestros sacratissimos provolutus, quàm humillimè rogo, ut, istorum amotione, collegio vestro pax et tranquillitas concilietur, nec tot in posterùm sinistris informationibus immeritò subjacere cogatur.

Sunt et alia, beatissime pater, quæ quominùs, ut par est, hoc vestrum collegium reflorescat, et eâ pace et tranquillitate, quam ego ex animo cupio, perfruatur, impedimento sunt, de quibus utinam liceret mihi liberè et candidè, prout coram Deo sentio expedire, cum vestrâ beatitudine tractare. Huic interim vulneri dignetur beatitudo vestra medelam quamprimùm adhibere, ut, ex hâc saltem parte, calamitatum nostrarum cumulum decrescere sentiamus. Nos verò quod nostri officii est, pro vestræ sanctitatis incolumitate quotidianas Deo preces et sacrificia offerendo, et pro sedis apostolicæ nomine in Angliâ fortiter decertando, grati animi affectum, nostræque in tantum parentem observantiæ perenne testimonium exhibere non detrectabimus. Duaci, 5 Maii, 1616.

Beatitudinis vestræ filius humillimus et obedientissimus,

MATTHEUS KELLISONUS.

Dr. Clement to Kellison, June 26, 1616.

[Original formerly in Douay College.]

At my being at Louvain, I had great talk with one of the fathers, of the college affairs, and of yourself. Your labouring so hard for the removal of their ghostly father, and to bring in Dr. Smith, their profest enemy, say they, did sufficiently discover you to be no good willer of theirs, and hath made you so suspected unto them, as it seemeth

they had rather see another in your place. For those two doctors (*Weston and Singleton*[1]) you wrote of, they defend them tooth and nail; and cry out of open injury that they should be condemned to be removed *inauditi;* and say, you shall have shortly orders *à protectore meliùs informato*, and that it cannot be proved they did inform against you, *et quod caput est*, that those matters that were informed will be found to be true, if the matter come to an examination, and that, in the late purge about the oath of allegiance, though you seem to call Widdrington's opinion erroneous, yet you do not positively set down that you do not hold the contrary opinion to Widdrington to be *de fide*. To which I replying that their late martyr in Scotland did not also affirm it to be *de fide*, whether the pope might depose princes or not, they answered me that this answer, he made, was naught; and therefore the pamphlet of his martyrdom is recalled by father general, and that answer of his changed.

No. XXXII.—(*Referred to at page* 73.)

*** *Kellison to the Protector, Farnese, Dec. 5*, 1616.

[MS. in my possession.]

Illustrissime Princeps,

Contigit, hesterno die, aliquid in collegio, de quo illustrissimam dominationem vestram monendam duxi. Ut autem illud explicatiùs tradatur, altiùs repetendum est. Convenit me, ab uno circiter mense, pater societatis, qui hìc alumnorum confessionibus præest, questus quosdam alumnos abstinere à sibi confitendo; cui respondi, me curaturum ut omnes, semel in mense, juxta formam constitutionum nostrarum, eidem conscientias suas exponerent: quòd si aliàs extraordinarium confessarium adire vellent, id in meâ non esse potestate ut prohiberem; cum eædem constitutiones seu regulæ illud omnibus permittant. Heri tamen, exhortationem de more habens ad scholares, multa hâc de re scandalosa, et per se nata parere tumultus ac perturbationem, protulit. Acceptâ namque occasione disserendi de sacramento pœnitentiæ, præmisit, primò, consuetudinem esse perniciosissimam proprium confessarium levibus de causis relinquere, aliumque frequentare: Secundò, cum sua sanctitas multas ob rationes expedire judicaverit, illudque in regulis nostris statutum voluerit, ut unus è societate omnibus collegianis sit â confessionibus, quicumque secùs faceret, aut apud se cogitaret,

[1] [Dodd, who has printed this letter, but who was evidently unacquainted with the real circumstances of the case here alluded to, has erroneously explained the "two doctors" to be *Norton* and Singleton.—*T.*]

gravissimè delinquere contra obedientiam, et consequenter enormis peccati reum fore : quod utrumque et manifestè falsum est, et in præjudicium intentionis suæ sanctitatis, inque gravamen timoratarum conscientiarum, temerè assertum; cum regulæ nostræ, hâc de re agentes (*cap. de confessario*), clarè et disertè in contrarium loquuntur :—" Præter confessarium", inquiunt " ordinarium, sint duo saltem alii confessores, ad quos studiosi et alii ibidem degentes possint quandocumque accedere, si sæpiùs in mense confiteri velint."—Imò verò addidit, idque iteratò, eum, qui censeret conveniens non esse ut unus è societate munere confessarii in collegio isto fungatur, enormi crimine teneri, ac in conscientiâ obligari, illud judicium suum confessario (ipsi scilicet), vel in confessione, vel extra, exponere : Tertiò, in his explicandis asseruit, duas potissimùm rationes suam sanctitatem ad ita statuendum de confessario societatis commovisse,—unam quidem quòd ii, qui è societate sunt, ob prudentiam ac virtutem, professioni religiosæ conjunctam, meliùs norunt animabus consulere, easque in vitâ spirituali dirigere, quàm sacerdotes sæculares ;—ubi et virtuti et scientiæ sacerdotum nostrorum generatim ac speciatim, quasi nemo ullus inter eos esset, aut non nisi unus fortasse aliquis (quod expressis terminis dixit), ad regimen animarum capessendum idoneus, non mediocriter detraxit ;—alteram verò, quòd, propter graves illas inter patres societatis et sacerdotes sæculares obortas discordias atque simultates, æquum fuerit ad eosdem vinculo charitatis ac mutuæ benevolentiæ denuò colligandos, ut aliquis è societate, prædicto munere defungendo, huic operæ incumberet,—ubi, illud ulcus vetus refricando, junioribus, qui illius prorsùs ignari erant, non levem ruinæ occasionem præbuit : Quartò, inculcavit, aliquos eo animo confessarium commutare, quò liberiorem vitam agere possent, et à reprehensione immunes esse, suisque propterea vitiis securè indormire ;—ubi apertâ invectivâ usus est in eos quos ego ex nostris sacerdotibus ad confessiones scholarium, si qui eos extraordinariò adire cuperent, excipiendas constitui; quorum tamen virtus ac scientia non minùs mihi probata esse debet, quàm ejus qui tàm iniquâ de causâ, ob privatum finem, contrà exceperit.

Ista pauca sunt ex pluribus, in eam rem ab eodem patre prolatis in dictâ exhortatione, quæ quanto cum præjudicio pacis domesticæ ac illius profectûs spiritualis, quem ob oculis sibi propositum confessarius habere deberet, nemo est qui non intelligat. Certè res in grave scandalum alumnorum nostrorum cessit, et quos hactenùs in officio continui ne in hanc constitutionem delinquerent (cum alioquin nonnulli fuerint, qui eundem patrem societatis ægrè frequentare vellent), video ab eo-

dem in posterùm adeundo penitùs abhorrere : unde et aliqui authores mihi esse voluerunt, ut eundem inhiberem ne in collegio confessiones iterùm exciperet, vel exhortationem haberet, quoadusque ab illustrissimâ dominatione vestrâ eâ de re responsum acciperem : charitatis tamen et pacis conservandæ gratiâ, id mihi minùs visum est, donec à superioribus aliter provisum fuerit.

Neque verò hæ primæ vices sunt, quibus se alumnis, ob similes in exhortationibus et sermone communi frequentatas digressiones, scandalo obnoxias, ingratum reddidit, usque adeò ut graviores alumni nonnulli (quemadmodum apud me non semel conquesti sunt) exhortationes ipsius fastidiverint, et propterea easdem minore cum diligentiâ frequentaverint. Est hoc insuper à me observatum, eundem patrem iis semper speciali quodam modo familiarem se exhibuisse, qui huic collegio minùs favisse, aut ejusdem bono minùs studuisse, comperti sunt; quo in genere et quendam nuper à me, justis de causis, à collegio dimissum contra me, literis suis commendatitiis, ac favore speciali eidem exhibito, armasse quodammodò visus est.

Ista ego invitus quidem scribo, præsertim ubi eorum res agitur, quibuscum charitatem fraternam ac pacem alere potiùs et de novo fovere, quàm consopire studeo : sed ne his similibusque gravaminibus se continuò indiesque opprimi alumni conquerantur, et pericula ex iis imminentia minùs præcaveri videantur, erant hæc à me etiam invito illustrissimæ dominationi vestræ significanda, ut opportunè remedium tempestivè provideri possit. Visa sunt ista à quibusdam ab initio, quo pater hic ad nos venit, non sine judicio prævisa, cum ille planè juvenis, et non multò ante è novitiatu egressus, ad munus confessarii inter nos subeundum destinatus sit, cui, saltem quoad scientiam ad illud idem munus ritè exequendum requisitam, alii ex nostris sacerdotibus alumnis pares esse potuerint. Vestram itaque illustrissimam dominationem, eamque quâ in Deum pollet pietatem, in proximos charitatem, in bonos omnes benevolentiam atque humanitatem, ut de his aliisque, de quibus illustrissimam dominationem vestram aliàs commonitam habui, scandalis à collegio amovendis, et in posterùm præcavendis, apud suam sanctitatem agere velit. Deus Opt. Max. illustrissimam dominationem vestram quàm diutissimè nobis et ecclesiæ suæ præstet incolumem. Duaco, è collegio Anglorum, 5 Decembris, 1616.

Illustrissimæ Dominationis vestræ

Servus humillimus,

MATTHEUS KELLISONUS.

No. XXXIII.—(*Referred to at page* 74.)

*** *Harrison to the General of the Society, July* 11, 1616.

[Original draft in my possession.]

Reverendissimo patri, P. Mutio Vitelleschi, Societatis Jesu Præfecto Generali.

Decreveram multoties, reverendissime pater, literas vestræ reverentiæ scribere, ac congratulari de vestrâ in regimen societatis electione; sed, ingravescente persecutione nostrâ, ac deficiente opportunitate, nunc hùc, nunc illùc pulsus, non potui citiùs, latebras quærens, vestram salutare reverentiam. Audivi sæpè à nostratibus singularem vestram in gentem nostram affectionem, cum summâ prudentiâ conjunctam, dum gubernacula collegii nostri teneret, sibique omnium animos alliciens, collegium illud jucundâ pace gaudebat; quæ res me nunc movet et incitat, ansamque scribendi præbet, ad pacem mutuam inter nos vestrosque hìc et alibi nutriendam ac fovendam: et licet antehàc discordia aliqua, animorumque dissensio extiterit, deinceps tamen et nunc cœperunt quærelæ illæ et murmurationes diminui, adeò ut scintillæ [tantùm] aliquæ et reliquiæ seminis illius restare videantur, quas penitùs extingui et radicitùs extirpari cupimus. Unum est quod, nomine confratrum meorum hìc in vineâ Domini laborantium, non solùm vestræ reverentiæ, sed superioribus nostris proponendum tractandumque suscepi,—quòd, cum collegium nostrum Duacenum, mater nostrorum seminariorum, fœtusque illustrissimi cardinalis Alani, semper liberam suorum administrationem habuerit, jam pridem paucis abhinc elapsis annis (superiorum institutione, an aliorum sollicitatione non disputo), unus ex subditis vestris confessarius constitutus est in collegio nostro Duaceno, cum ab initio, et longo tempore postea, præses collegii unum ex suis constituere consueverit:—undè instanter mecum egerunt confratres mei, ut peterem à superioribus nostris, ut pristina libertas præsidi collegii restituatur, simulque etiam scriberem ad vestram reverentiam, quæ nostros tanto amore complecti solebat, ut sollicitaret confessarium suum revocare: sin minùs (si ex clamoribus ac murmurationibus pro hâc re conjicere licet), vereor ne haud mediocrem ecclesiasticorum amorem ac benevolentiam societas perdat.

Superiorem societatis vestræ hìc nobiscum de nonnullis, in quibus accusantur, admonendum duxi,—de residentiis præoccupandis, nostrosque è sedibus suis ejiciendo, de iniquâ bonorum ex testamento vel donatione distributione: sed cum rationes allatæ non evidenter demonstrabant, atque expectando firmiores et magis efficaces superior vester discessit, novumque hunc vestrum nondum conveni; idcircò breviter

vestræ reverentiæ ista significanda putavi, donec commoditas illum alloquendi et admonendi de istis præcipuè et aliis sese offerat, ut, quod fieri possit, vitentur conjecturæ et suspiciones præcedentium malorum; omnisque tunc simultas et animorum dissentio citò extirpabitur, facillimaque fiet omnium reconciliatio: quod ut feliciùs succedat, Deum Opt. Max. invicem rogemus, cui in vestris precibus et sanctis sacrificiis nos negotiaque nostra commendamus. Londino, 11 Julii, 1616.

Reverendissimæ vestræ Paternitatis studiosus,

Gulielmus Harrisonus,

Archipresbyter Angliæ Indignus.

No. XXXIV.—(*Referred to at page* 77.)

*** *Morra, the Nuncio at Brussels, to Kellison. Sep.* 3, 1619.

[Extract, in the Douay Diary, i. 164.]

Insuper, cum eidem sanctissimo etiam nuper nunciatum fuerit, in scholis societatis Jesu, Duaci, per nonnullos ejusdem collegii alumnos nescio quas turbas excitatas fuisse, hinc est quòd sua sanctitas, cupiens ejusmodi rebus adhibere remedium, cavereque ne in posterùm talia eveniant, aliquot de novo articulos concepit, quos tàm à patribus societatis, quàm à dominatione tuâ et alumnis istius collegii ad amussim servari vult et mandat. Quocircà per literas illustrissimi domini cardinalis Farnesii, 9 Augusti datas, sua sanctitas mihi injungit ut dictos articulos, Italicè conscriptos, et ordinationes dominationi tuæ et patri rectori collegii societatis Jesu, Duaci existenti, insinuari et notificari curem, illorumque observationem seriò mandem; quod tibi per præsentes, unà cum quibus exemplum dictorum articulorum transmitto, seriò injungo.

Exemplar articulorum ab illustrissimo Protectore transmissorum.

Ad præsidem collegii Anglorum Duacensis spectabit confessario consignare schedulam omnium scholarium collegii, cui unusquisque tenebitur, semel saltem quoquo mense, sacramentaliter confiteri: et præses diligenter incumbet ut à confessario intelligat nùm omnes confessi fuerint: discolis autem et inobedientibus pœnitentiam injunget publicam, singulis diebus quoad obediverint repetendam: et si quis temerè refractarium se exhibuerit, in potestate præsidis erat eundem è collegio dimittere.

Idem præses pari modo schedulam omnium scholarium collegii, qui scholas societatis frequentabant, præfecto studiorum exhibebit; ad quem spectabit scholam, cui unumquemque maximè idoneum judicaverit, assignare.

Quamdiù scholares versantur in scholis, debent se obedientes præs-

tare in omnibus sibi, vel à præceptore vel à præfecto studiorum, imperatis atque impositis, absque eo quòd prætendant quamcumque exemptionem subterfugiendi correctionem ac castigationem; nec alter alterius defensionem sibi arrogare potest. Et, si contingat aliquem in scholis excitare tumultum, aut scandalosè inobedientem evadere erga præceptorem et præfectum studiorum, præses eundem decem dierum carceribus strictoque jejunio mulctabit; posteaque ad scholam remittet, ad pœnitentiam publicam agendam, quam præfectus sive præceptor eidem injunget. Et, si in eandem culpam reinciderit, augebitur pœna; quòd si tertiò deliquerit, è collegio confestim expelletur; neque licitum erit hujusmodi in aliud collegium nationis Anglicanæ admittere, sine expressâ licentiâ protectoris.

Quilibet scholaris dicti collegii debet frequentare scholas societatis ab iisdem frequentari solitas; nec quovis prætextu alias vacantias aut remissiones habeant, quàm quæ de more universis scholaribus generaliter conceduntur.

Nemo præsumat se eximere ab obedientiâ aut correctione [præfecti] studiorum et magistri, sub falso prætextu quòd præses collegii intentionem habeat ut in scholis non castigentur, cum sit expressus ordo suæ sanctitatis, quòd, quamdiù fuerint in scholâ, subsint præfecto ac magistro, sicut et cæteri scholares: neque præses aut alius officialis collegii sese quomodolibet immisceat in rebus ad scholasticam disciplinam spectantibus.

Debet præses, semel saltem in mense, convenire præfectum studiorum, ab eoque ea omnia intelligere quæ necessaria visa fuerint ad scholarium informationem: ad quod plurimùm juvabit mutuum inter præsidem ac societatem humanitatis atque officiorum commercium.

Si quis scholaris Anglus cupiat coaptari in sodalitatem quæ habetur in collegio societatis, aut exercitium spirituale in eodem collegio suscipere, nullum ei super hoc fiat impedimentum.

Cura adhibeatur ut scholares, eundo à collegio ad scholas, vel à scholis redeundo ad collegium, semper rectà incedant, nec aliò divertant, præsertim verò ad tabernas, quemadmodum nobis renunciatum est aliquos cum scandalo fecisse.

Cum alumni collegii alantur et instruantur præcipuè ex eleemosynâ sedis apostolicæ, debebunt se semper tales exhibere, ut, salvâ conscientiâ, intelligant se ejusmodi subsidium promereri: et in particulari præbeant se plurimùm devotos atque addictos societati Jesu, quæ assiduis laboribus, usque ad sanguinis profusionem, procurat sustentationem fidei catholicæ, et animorum salutem, in regno Angliæ.

Relegantur frequenter regulæ stabilitæ pro bono regimine collegii,

earumque observantiæ sedula cura habeatur: in cæteris autem advigiletur ne scholares, sive intra, sive extra collegium, quid committant sacris canonibus, et personis ecclesiasticis prohibitum.

Ultimò, illustrissimus dominus nuncius Flandriæ amicitias de novo conciliabit inter præsidem collegii et superiorem jesuitarum Duacensium, quò mutuum inter eos ineatur ac conservetur animorum atque officiorum commercium, quemadmodum illustrissimus dominus archiepiscopus Otrantanus nuncius literis suis, datis 13 Aprilis et 13 Maii proximè elapsis, significavit se præstitisse cum Doctore Champneo, vice-præside, conformiter ad rationem sibi præscriptam[1].

No. XXXV.—(*Referred to at page* 81.)

*** *Champney to Morra, the Nuncio at Brussels. Sep.* 25, 1619.

[Copy in Douay Diary, i. 166.]

Illustrissime Domine,

Prolixiùs scribo quàm, pro multitudine graviorum occupationum, quibus dominatio vestra illustrissima implicatur, deceret, si ipsius veritatis et læsæ innocentiæ defensio id non postularet. Rogo igitur humillimè ut scriptum totum patienter percurrere dignetur.

Literas dominationis vestræ illustrissimæ, 3°. Septembris scriptas, non nisi 22°. ejusdem mensis accepi, quæ, quia ad me, in absentiâ admodùm reverendi domini præsidis, fuerunt datæ, cum mandato ut illas aperirem legeremque, volui quantociùs responsum, secundum sensum cordis mei, dominationi vestræ reddere; pleniorem ac solidiorem satisfactionem à præfato reverendo admodùm domino præside, cum reversus fuerit, addendam relinquens.

Cum itaque dictæ literæ dominationis vestræ illustrissimæ silentium petitioni nostræ, de confessario ex societate à collegio nostro amovendo, a sanctissimo impositum, primo loco declarent; deinde articulorum nonnullorum, quorum exemplar literis dominationis vestræ illustrissimæ subjungitur, ex mandato etiam sanctissimi, per literas illustrissimi protectoris accepto, executionem seriò injungant; tertio denique loco, ad pacem et concordiam colendam cum patribus societatis efficaciter hortantur et moneant,—quod ad primum caput attinet, nihil habeo dicendum, nisi quòd, cum clementissimo patri humillimam filiorum petitionem, quam et sibi salutarem et in seipsâ justam et honestam arbitra-

[1] [To this paper the Diary appends the following note,—"Isti sunt articuli quos patres societatis à suâ sanctitate, vel potiùs ab illustrissimo protectore, cardinale Farnesio, ipsis addictissimo, obtinuerunt, quamvis nos pro nostrâ justificatione nihil adhuc protulimus; reputantes rem hanc esse nimis levem et indignam, ut deferetur ad tribunal curiæ Romanæ." p. 166.—*T.*]

bantur, visum sit à se penitùs excludere, illius beneplacito promptè acquiescam, cum spe tamen certâ, quòd hoc potiùs ad probandam nostram in obediendo promptitudinem ad tempus fieri jubeat, quàm quòd ita reipsà expedire judicet.

Quod ad ultimum caput spectat, utinam nobis non quadret illud Psalmistæ,—" cum his qui noluerunt pacem, eram pacificus": tunc certè ad pacem colendam non opus esset exhortationibus. Fiat itaque, si placet, vestro et sedis apostolicæ imperio et authoritate, utrimque justitia, et sequetur indesinenter inter nos pax firma, solidaque concordia. Est enim, ut inquit propheta, " opus justitiæ pax": sed quamdiù locus est calumniis, detractionibus, et alieni juris usurpationibus, quas singulis diebus patimur et experimur, quæ spes potest esse pacis? Fuimus semper, atque etiam in præsente sumus, defensores et patientes; illi è contra actores et aggressores. Non nos igitur, sed illi pacis et concordiæ ruptores et perturbatores sunt censendi.

Sed intermedium caput, in literis dominationis vestræ illustrissimæ contentum, prolixiore indiget oratione, quod proinde in postremum rejicio locum.

Articulos, quorum exemplar literis D. V. illustrissimæ subjungitur, ex surreptione et calumniâ, ad nimiam innocentiæ nostræ læsionem obtentos adeò manifestè videò, ut illorum executioni, donec, causâ legitimè cognitâ, de certo sanctitatis suæ judicio nobis constet, supersedendum existimem. Judicium enim subreptitium, et ex calumniâ obtentum, parte læsâ non auditâ, nullum esse, omnia clamant jura, tàm humana, quàm divina: si enim accusasse cuivis adversario sufficeret, quis tandem innocens esset? In meipso nonnihil conturbor, quòd, post tot calumnias falsasque contra nos factas accusationes, quæ in capita delatorum, purgatione nostrâ auditâ, semper resederunt; quòd, post tot tamque humiles petitiones per nos exhibitas, quibus subnixiùs rogavimus ut delatores nostri apud sedem apostolicam, nisi satisfactione nostrâ priùs acceptâ, in nostrum præjudicium fidem non invenirent, novum adhuc atque adeò durum contra nos, et delatoribus nostris favorabile, prodiret judicium, idque absque aliâ causæ cognitione, quàm quæ ab iis, qui innocentiæ nostræ perpetuò insidiantur, fuit accepta. Vermes quidem sumus nos, et ipsum mundi peripsema; ac proindè forsitan ab iis, qui nos proculcare et in servitutem sibi redigere contendunt, indigni habiti ut cum illis in judicio, licet pro innocentiæ nostræ defensione, decertemus: ad sedis tamen apostolicæ et potestatem et æquitatem spectat delatos per calumniam audire, et ab injustâ oppressione vindicare. * * *

Ad quendam ex alumnis nostris, nobili familiâ ortum, qui fortè cum

duobus nobilibus Allemannis, ex familiâ Fuggeriorum, ante ingressum classem colloquebatur, accessit alius quispiam ex scholaribus, vocavitque illum "*caudatum*", quod est nomen valdè ignominiosum, ex fabulosâ opinione quòd habuerint olim Angli caudas exortum. Noster, ob præsentiam nobilium, tantisper injuriam dissimulans, postea, alapâ illatori injuriæ impactâ, illam leviter vindicavit. Postridie ad præfectum scholæ delatus, ad pœnam publicè luendam evocatur. Accessit ad locum supplicii, et, causæ suæ æquitatem declarans, à præfecto, cujus est delinquentes corrigere, auditis facti circumstantiis, jam liber et impunis dimittebatur: cum ecce, superveniens classis præceptor, qui animo iniquo in nostros jam antea fuerat, et occasionem satis idoneam iracundiæ suæ satisfaciendæ se nactum arbitratus, voluit omninò ut virgis publicè exciperetur. Quod cum viderent cæteri collegii nostri alumni, præceptoris, quem sibi aversum satis jam experti fuerunt, malevolentiam indignantes, accesserunt, et, sese interponentes, absque ullâ vi socium suum ab immeritis pœnis (ut judicabant) liberarunt, scholasque pacificè exeuntes, domum redierunt, causamque reverendo admodùm domino præsidi declararunt; qui rei novitate nonnihil turbatus (novarum enim querularum occasionem inde hauriendam suspicabatur), alumnum nostrum, ne vel ipse vel alii inde ansam liberiùs contra disciplinam peccandi arriperent, à proprio præfecto pœnas luere jussit. Deinde duos ex senioribus collegii reverendo patri rectori misit, qui alumnorum nostrorum à scholis discessum reverendo domino præsidi summoperè displicuisse significarunt; præceptoris imprudentiam qui nostrum punire, primum verò et principalem delinquentem impunem abire, permisit, innuerunt; et tandem utrum vellet alumnos nostros ad scholas suas, re obliteratâ, tentarunt. Sed nihil illi egerunt, patre rectore suos in omnibus defendente, nostrosque condemnante. Post unum vel alterum diem, reverendus dominus præses, assumpto secum altero ex senioribus, eundem reverendum patrem rectorem eandem ob causam adiit; sed nihil obtinere potuit, nisi in casu quo tàm illi qui deliquisse dicebantur, quàm cæteri omnes nostri alumni, ad præceptoris irati et præfecti discretionem, puniendi in posterùm permitterentur. Quod cum et collegio nostro, et toti patriæ, perniciosum fore, non absque causâ, ut statim apparebit, judicaret, reverendus dominus præses præceptores, qui alumnos nostros domi instruerent, instituit. Unde duplex emolumentum collegio nostro accrevit; nam et præceptores docendo doctiores fiunt, et scholares majores in studiis suis quàm solebant profectus faciunt.

Et hæc vera est rei gestæ narratio, unde formatæ sunt querelæ illæ, quæ articulos hos novos pepererunt. Adjiciendæ jam sunt circumstantiæ aliquæ, ex quibus certius de re totâ judicium formari potest.

Primo igitur lòco, sciendum quòd patres universaliter, ab eo tempore quo intellexerunt reverendum dominum præsidem confessarium ex societate amoveri velle, amaris et aversis omninò animis erga nos semper fuerint : quæ animorum aversio magis magisque in eis crevit ex justâ et necessariâ tàm aliorum confessariorum mutatione, quàm duorum doctorum (Singletoni scilicet et Westoni), pacis collegii perturbatorum, amotione ; ac proinde occasiones de nobis conquerendi diligenter semper quæsierunt, et avidè arripuerunt ; ita ut non levis sit conjectura aliquem illorum dictarum turbarum (si turbæ sint dicendæ) materiam præbuisse, ut, scilicet, inde majorem conquerendi speciem haberent :—quæ quidem conjectura inde confirmatur, quòd quidam ex societate, à quo tempore nuncium de istis articulis editis accepit, asserere non dubitavit, confessarium ex societate in collegio nostro firmiter jam, ex facto prædicto, stabiliri, quem antea indies amovendum expectabat.

Secundo, illud taceri non debet, quòd alumnus ille, quem virgis publicè excipere cupiebant, illis peculiariter invisus, quem propterea non tam ex merito castigare, quàm ex alio motivo dehonestare volebant. Anno enim præterito, in actione ludicrâ quam, exercitii causâ, alumni in collegio nostro habebant, iste partem suam, quâ regis personam gerebat, ad invidiam omnium scholarium jesuitarum egerat ; à quo tempore, præceptor suus et alii patres aversis oculis illum intuiti sunt : et hoc anno, vacationum generalium tempore, similem partem in tragœdiâ acturum illum sciebant. Hoc stratagemate actionem nostram impedire putabant : non dubitabant enim quòd, si virgis fuisset exceptus præcipuus actor, non auderet postea in theatrum prodire, ac consequenter totam actionem ruere necesse erat. Quibus circumstantiis ritè ponderatis, qualis sit affectus patrum erga nos et alumnos nostros facilè videri potest.

Jam verò quòd perniciosum foret collegio et toti patriæ nostræ alumnos nostros (rebus inter nos et patres societatis sicut modo sunt stantibus) ad scholas patrum mittere, et ad discretionem præceptorum corrigendos permittere, ex eo apparet, quòd cum multò major eorum pars sint nobilium filii, et aliqui etiam primogeniti, et jam grandiusculi effecti, relinquere potiùs collegium, et in patriam redire, quàm conditionem hanc subire eligent. Imò eorum parentes, qui pro fide catholicâ extremam persecutionem patiuntur, parùm liberaliter cum filiis suis hìc agi conquerentur, si tales leges subire cogantur. Atque hoc verissimum esse, et non à nobis confictum, factum ipsorum patrum demonstrat. Ex hâc enim vel solâ, vel præcipuâ occasione, collegii Audomarensis rectores alumnos suos, qui communes patrum scholas fre-

quentare solebant, de præceptoribus, qui eos domi instruant, ab aliquot jam annis providisse, omnibus notum est. Cum itaque patres ipsi alumnos suos præceptoribus sui ordinis, talibus conditionibus, committere nolint, mirum est quâ æquitate hoc à nobis postulare possint. Quapropter juvenes illi qui fidei nostræ et curæ committuntur, eos prout Deus dederit instruendos independenter à patribus et justum et honestum (salvo semper superiorum judicio) arbitramur, præsertim cum, ex regulis collegii, alumnos nostros ad scholas patrum mittere minimè teneamur. Si enim parentes alumnorum nostrorum cuperent filios jesuitarum scholas frequentare, habent seminarium Audomari, multò amplius, et illis propius quàm est nostrum : illos absque dubio illuc, et non ad nos, transmitterent.

Et hæc sunt, illustrissime domine, quæ ad literas vestras et articulos illis adjunctos in præsentiarum respondendum judicavi, &c. Deus Opt. Max. dominationem vestram illustrissimam incolumem semper servet. Datum Duaci, 25 Septemb. 1619.

*** *Kellison to the Protector, Farnese, Sep.* 1619.

[Copy in Douay Diary, i. 170.]

Illustrissime Princeps,

* * Illustrissima dominatio vestra, in literis suis nos ad pacem hortatur cum patribus societatis colendam : ego autem Deum testor, me ex animo illam, pro meâ parte, coluisse, et semper colere paratum esse, uti in meis literis sæpiùs protestatus sum. Hinc est quòd in omnibus meis negotiis, quæ apud sedem apostolicam et illustrissimam dominationem vestram habui, semper defensoris partes egi, nunquam actoris ; quod et in hâc controversiâ contigit, in quâ injuriam passus, silui tamen.

Deinde illustrissima D. V. in suis literis significat, mentem suæ sanctitatis esse, ut de confessario amovendo taceatur ; et addit, patres societatis ut mihi gratificarentur silentium illud rupisse. At ego protestor me, post ultimum silentium impositum, nunquam patribus societatis hoc negotium commisisse, et reverendissimum patrem, præsentem collegii Romani rectorem, professum mihi esse Bruxellis, se in eâdem mecum opinione esse, putareque et ipsis et nobis longè meliùs esse, ut confessarius amoveretur, quod idem et confessarius præsens se superioribus suis significasse sæpiùs asseveravit, utcumque nunc causam in nos rejiciant. * * *

Quod ad articulos verò attinet, cum ex sinistrâ suggestione ortum habeant, et præterea collegio perniciem allaturi certò videantur, eos non solùm executioni [non] mandare, sed neque alumnis notificare, ausus

sum, priusquàm illustrissimæ D. V. rei veritatem et incommoda aperuissem; ne sedi apostolicæ et vestræ illustrissimæ dominationi gravior fama, ipsisque patribus societatis, quos facilè patet eosdem procurasse, odium non facilè extinguendum, excitetur. * * *

Sinistra suggestio ex duplice capite convincitur,—quòd et veritatem subticuerint accusatores, et falsitatem (bonâ eorum cum veniâ in justam nostram defensionem dictum sit) supposuerint. Prima igitur veritas, quam subticuerunt, quæque manifestata hos articulos impedivisset, est regula collegii de patrum scholis adeundis, quæ non solùm non mandat, sed clarè contrarium insinuat, scilicet, non nisi ex necessitate, et præsidis benevolentiâ, adeundos esse patres. Sic enim habet regula et decretum visitationis, confirmatum à suâ sanctitate et illustrissimâ V.D. cap, 3. regula 3,—"Satius erit, si collegium egredi necesse fuerit, eos accedere ad audiendos patres societatis Jesu publicè legentes, quàm ad universitatem," &c:—et regula 5,—"Pro aliis vero facultatibus (scilicet propter lectiones theologicas) accedendum erit ad scholas publicas societatis, sive in subsidium universitatis, *nisi aliter præsidi videbitur.*"—Hinc per se clarum est, liberum præsidi esse (prout etiam fuit à primâ collegii institutione) alumnos omnes intra collegium proprium instituendos curare, si ita illi visum fuerit. * * * Nam cum nullum aliud vel facilius vel efficacius medium sit, quo cujusvis literaturæ perfectio in clerum nostrum derivari possit, et præsertim humanioris doctrinæ, cujus inopia non infrequenter ab hostibus fidei objectatur, quam earundem literarum professio, quæ profitentes seu docentes doctiores et perfectiores reddit, nemini dubium esse potest quin multò magis utile sit nostris præceptoribus, quòd alumni domi à nostris, quàm foris ab alienis magistris, instruantur. Quòd verò etiam utilius sit alumnis, præter experientiam quâ illud didicimus, illud vel inde liquet, quòd cum unus præceptor vix sufficiat a viginti scholaribus benè erudiendis, apud patres in unâ scholâ aliquando centum vel ducenti auditores hâc in patriâ reperiuntur: quo fit ut nostri frequenter examinari et particulariter instrui nequeant. Quibus addi potest, in inferioribus classibus sæpè neque scholares Latinam linguam, neque magistri Anglicanam, ut sic illos instruere possint, noverunt. Hinc videmus ipsos patres jesuitas Anglos, qui Audomarense Anglorum collegium gubernant, omnes alumnos suos ab externis patrum lectionibus ad suas domesticas revocasse: quod idem in Hispanicis collegiis factitarunt.

Altera veritas, quam celarunt accusatores, ea est, quòd verum statum collegii non declararunt. Nam [cum] ex quadraginta circiter adolescentibus, qui literis humanioribus operam dant, vix decem ex collegii

proventibus nutriantur, cæterique propriis victitent sumptibus, in nullius est potestate illos ad patrum scholas cogere ; qui dicerent statim, uti etiam dixerunt, se potiùs in Angliam redituros, quorum etiam exemplum plures fortè alumni sequerentur. * * * Et hæc de veritatibus celatis dicta sufficiant.

Illustrissima D.V. in suis literis ita scribit :—"*Plura perveniunt ab alumnis collegii perpetrata in scholis societatis, non absque piorum scandalo ; unde necessarium fuit* (per hos scilicet articulos) *iisdem opportunè occurrere.*" Et illustrissimus dominus nuncius, secutus eandem informationem, ita habet,—"*Sanctissimo nuper nunciatum fuit, in scholis societatis Jesu, Duaci, per nonnullos collegii ejusdem* (scilicet Anglorum) *alumnos nescio quas turbas excitatas fuisse. Hinc est,*" &c.—Quis ista auditurus, et tenorem articulorum in remedium adhibitorum ponderans, non existimaret scelus aliquod magnum admissum à nostris fuisse ? At si secùs fuerit, quis poterit accusatores nostros summâ injustitiâ absolvere, qui famam collegii apud sedem apostolicam denigrare conati sunt, et suâ suggestione effecerunt, ut inauditi, et nec admoniti, nec de culpâ instructi, accusemur et condemnemur ? * *

Cum in articulis ipsis habeatur quòd scholares, redeundo à scholis patrum, tabernas aliquando ingressi fuerint, ego coràm Deo protestor, me hâc in re fuisse semper vigilantissimum ; et si aliquando, me nesciente, hoc acciderit (ut certè crederim rarissimè accidisse), cur isti, qui me fuerunt acculatiores, non me eâ de re admonuerunt, sed, contra ordinem correctionis fraternæ à Christo Domino statutum, absque eo quòd præmittant privatam et secretam admonitionem, me meosque statim ad ecclesiam sedemque apostolicam deferunt ? An non hic modus procedendi arguit eos, non ex charitate nostram emendationem, sed ex invidiâ nostram infamiam, quærere ? Sed non est meum illos judicare. Quòd si hâc in re aliquando erratum fuisset, præceptores jesuitæ errati occasionem dare potuerunt, qui sæpiùs, me inscio, nostris juvenibus, uti et aliis, licentiam exeundi è scholis ad mœnia concedere solebant. Quidquid sit, huic malo optimè occurri potest, si adolescentes nostri domi in collegio, et portis clausis, à nostris erudiantur. Et certè si patres Angli, qui Audomarense regunt collegium, hanc ob causam, et quia præceptores nimis proclives erant ad eorum adolescentulos publicè corrigendos, et quia commodiùs domi eos instruere se posse judicabant, eosdem à scholis patrum publicis ad suas domesticas revocarunt, cur non idem nobis, ob easdem causas, licebit ?—

In sequenti articulo monentur alumni ita se gerere, ut subsidium, quod à sede apostolicâ percipiunt, salvâ conscientiâ accipere vel mereri possint :—quasi hoc collegium, quod in Angliam mille ferè sacerdotes,

in cœlum centum et decem martyres, transmisit, et etiamnum transmittit, ut ex ultimis exulibus et martyribus facilè colligitur, indignum sit apostolicâ eleemosynâ! Præterea, ad aggravandam nostram calamitatem, patres societatis, in eodem articulo, cum multo sudore, et non sine sanguine, in lucrandis animabus, et fide sustentandâ in Angliâ, laborasse prædicantur,—quasi nos nihil fecimus, vel potiùs quasi Deus nihil per nos fecerit; cum tamen, ubi illi unum, nos decem, sive martyres, sive confessores, proferre possimus, qui in Angliâ pro fide catholicâ et sede apostolicâ, sanguinem magnâ cum constantiâ profuderunt.

Tandem adhuc in sequenti articulo additur, ut diligens cura adhibeatur, ne alumni, vel intra vel extra collegium, sacros canones transgrediantur,—quasi nostri, qui singulis septimanis suas conscientias semel saltem confessario apertas sistunt, sacrâ item communione singulis Dominicis, et omnibus ferè festis, reficiuntur, scandalosi, peccatores, et canonum transgressores existerent! Judica nos Deus, et discerne causam nostram. Judicet etiam nos Christi vicarius, judicet illustrissima D.V., apud quos tam atrociter traducti sumus. Certè, illustrissime domine, ausim affirmare, quod et omnes qui collegii statum præteritum et præsentem noverunt mecum affirmabunt, nunquam hoc collegium à viginti et quinque annis (et multò quidem minùs tunc, cum patres Angli habuerunt præsidem, vice-præsidem, assistentes, et præfectos, animo jesuitas, et sibi obsequentissimos), ita ut nunc floruisse, sive pietatis et literarum exercitia, sive strictam disciplinæ observationem, sive victûs et vestitûs decentiam, sive pacem et mutuam concordiam, sive delectissimorum et nobilium adolescentulorum multitudinem spectemus; undè etiam est, quòd catholici, famâ hujus collegii commoti, quotidie ad nos nobiles et ingenuos multos adolescentes, et, cum illis, non exiguas pecunias suas transmittant:—Et tamen nemo ante me toties erat ad sedem apostolicam delatus, nemo ante me ita informationibus (haud dixerim calumniis) ita erat impetitus. Quid? An invident patres nostro in pietate et literis progressui, et bonæ collegii famæ et existimationi? Non audeo talem de talibus viris ferre judicium. * * *

Illud quoque silentio non est prætereundum, quòd in istis articulis collegii præses, singulis mensibus, ad præfectum studiorum societatis accedere jubetur, ut cum illo de promovendis scholarium studiis conferat: hoc autem quomodo cum modestiâ religiosâ dicti patris præfecti stare possit non video. Nam, cum præses collegii sit sacræ theologiæ doctor, et ego ipse triginta jam annis et doctor et professor, non sine aliquâ laude tàm apud nostrates quàm exteros, scripta etiam aliqua non inutilia pro fide catholicâ, et Romani pontificis in regibus depo-

nendis authoritate, tuendâ editi (*sic*), et authoritatem habeam à sede apostolicâ mittendi sacerdotes in Angliam, et, cum archipresbytero, ex sexcentis in Angliâ sacerdotes illos quos visum fuerit revocandi, parum modestiæ videbitur in religioso, qui fortassis ad summum rhetoricæ magister est, et vix triginta annos natus, expectare ut talis vir ad ipsum, capessendi consilii causâ, veniat.—Si factus sum insipiens, ipsi, ut apostolicis verbis utar, me coegerunt.

Hæc sunt, illustrissime princeps, quæ ad præfatos articulos, &c. Deus Opt. Max. illustrissimam D.V. servet incolumem,

Illustrissimæ D.V. servus humillimus,

Mattheus Kellisonus.

The grievances of the English Secular Clergy Missioners, exhibited in a Memorial to Pope Paul V., by Dr. William Harrison, Archpriest, and his Assistants. December 20, 1619.

[Translated by Dodd from the Douay Diary, i. 179—184.]

Most holy Father,

The hopes of restoring the catholic religion in England depending, for the most part, upon seminaries, where the labourers of the Lord's vineyard are educated expressly for that purpose, it will not seem unreasonable to your holiness, if we, who, though unworthy, are appointed supervisors over the affairs of the clergy, have some regard to them; seeing that the original design of instituting seminaries in God's church was, that they might be a nursery and support of the clergy, without whom the church itself could not subsist. Wherefore, we presume, it is a point not to be neglected by the clergy, that care be taken, that such as have a call that way, may be well informed of the qualifications belonging to that state, and prepare themselves, as persons purposely instructed for it, and not sent as it were by chance. Upon this account, as we formerly sent up a supplication to your holiness in favour of the seminary at Douay, to restore it to its primitive integrity, wherein it had suffered very much of late years; so we cannot now grow indolent in the same cause, but renew our petition both with opportunity and importunity, that your holiness will be pleased to order, that it may recover its ancient splendour. Indeed, from the time that Mr. Kellison, a person well deserving in all respects, but especially from us, was by your authority made president of the house, we were in great hopes, that, by little and little, some points of discipline would be recovered again, which through the spirit of emulation had been laid aside, to the great detriment of the public good. Nor were we disappointed in our expectations. He had no sooner entered upon

this charge, but, calling to mind the ancient glory of that house, many years ago, under the clergy, whereof he himself had been an eye-witness, he applied his thoughts, and judged it to be both equitable and convenient, to restore discipline, and promote both learning and virtue; these being the proper arms of those, that had engaged themselves in that undertaking. He was sensible, the attack was to be made by these engines, in order to subdue heresy in England; it being the method, which the first undertakers, as also their successors, followed, and whereby having brought great multitudes back from the precipices of schism, they laid down their lives gloriously in the Lord's cause. Wherefore, having first opened the theological and philosophical schools in his seminary, which a long time had been shut up, to its great prejudice, and many other regulations made for the reputation of the house, and profit of the students, he made so happy a progress, that little now seemed to be wanting to what we had so long wished for. But our hopes were lately dashed, all on a sudden, by two obstacles, thrown in the way by a letter from our illustrious protector, directed to the president of the seminary; the contents whereof we have judged convenient to lay before your holiness. One is a prohibition, not to employ professors any longer within the house: the other renews and confirms an order, that a jesuit should be the ordinary confessor of the seminary. Now, how prejudicial both these orders are to our cause, may easily be made apparent to your holiness. If heresy, which relies very much upon the plausible terms of human wisdom, cannot effectually be confuted, but by sound learning, as the ancient fathers inform us, those, who are to expose themselves in the engagement, cannot be better provided, than by exercising their talents by learning and teaching in their school; by which means they will be furnished with all things necessary on the occasion, and behave themselves with bravery on the day of battle. By this method, sufficient men will never be wanting among the clergy, able to make their part good against heretics, and, by the advantage of teaching in the seminaries, and publishing books, maintain the catholic faith in England, and sap the very foundation of heresy. Wherefore, if they, who first laid the foundation of this seminary, thought it proper to appoint professors within their own walls, whereby the students profited no less in learning, than the house encreased in reputation, the president ought not to be obstructed, but rather praised and encouraged, when he endeavours to reestablish the ancient discipline of the seminary. Besides, we know very well, that the jesuits themselves took the same liberty both in Spain, and lately at St. Omer's in Flanders, in those colleges where they were

superiors, by obliging the students to forsake the public schools, and appointing masters to teach them within their own houses ; and this, without alleging any former custom (which is the president of Douay's case), but by an order entirely new. Again, speaking upon the supposition of England's conversion, which we do not despair, but God, of his infinite mercy, will at his own time bring about, the preservation and continuation of religion will require a learned and able clergy. For, whereas most of the English nobility and gentry keep not their residence in cities, as they commonly do in the kingdom of Naples, and some other places, where there is generally a greater plenty of regulars, but at their seats in the country, it is requisite that the pastors, who are obliged *ex officio* to the care of souls in those places, should be persons of learning and singular erudition, to promote virtue and establish religion, not only among the better sort, but among the common people[1] ; who with us are generally persons of good understanding, as well as rich and powerful. This consideration induced the illustrious Allen, after he had founded his seminary, to apply himself wholly to the qualifying of his clergy, who could not be equal to their task, in attempting the conversion of England, unless they distinguished themselves by virtue and learning. He saw very well what occasion there was of able pastors. Seeing, therefore, that there is no more proper nor easier method to be furnished with a learned clergy, than that professors, repetitors, confessors, catechists, &c. should be chosen from the members of the seminary, to obstruct such a regulation would not only be depreciating the clergy, but deprive the whole catholic church of one of her great supports.

Now, as to the jesuit confessor, imposed upon the seminary, and looked upon by us to be inconsistent with the peace and interest of the clergy, your holiness has formerly been made acquainted, that we never consented to the regulation, but remonstrated strongly against it, as entirely a contrivance of the jesuits, to encrease the reputation of their society, and have an opportunity thereby to busy themselves in the affairs of the seminary. The consequence of this was contention, animosities, private grudges, aversions, and such like scandalous doings between the jesuits and the members of the college, never known before, and whereby the clergy became great sufferers both at home and abroad. To redress these evils, and allay the storm, both the president and we have, more than once, petitioned your holiness, that the jesuit confessor might be removed, and, by that means the way

[1] [" In plebe rusticanâ":—the rural or agricultural population.—*T.*]

precluded, and all pretext and colour avoided, of the jesuits intermeddling either in our temporal or spiritual concerns. Moreover, the jesuits being in possession of all the other seminaries of the English nation, and that of Douay only being in the hands of the clergy (which yet we can scarce call our own), nothing can reflect more upon the reputation of our body, than that we should be under the subjection of regulars in spiritual matters. Is not this to proclaim publicly, that the clergy cannot furnish the seminary with persons capable of that employment? And yet it is well known, that there are some hundreds of them excellently qualified both for converting heretics, instructing the faithful, and acquitting themselves of their duty in any other part of the sacerdotal function. On the other hand, we have found by long experience, that the jesuits rather had regard to domestic convenience, and were far from being serviceable to the clergy in that office; which plainly appeared from their continual practising upon the students, to withdraw them from that institution, wherein they were engaged by oaths, and bring them over either to the society, or to some other religious order[1]. This kind of practices being detected by St. Charles Borromeus (of pious memory) among the jesuits, to whose care he had committed his seminary in Milan, he removed them, and gave the whole government up to the clergy. But we, alas! not a little unfortunate on this account, have been obliged, now several years, to submit to all the inconveniences of that economy, not only in the seminaries of Rome and Spain (which, though instituted for the benefit and propagation of the clergy, are now become, as it were, only noviceships for the society), but even in that seminary, which was founded and carried on by the labours and blood of the clergy. Lastly (that we may not run too far into excursions), it is well known to your holiness, that Clement VIII., of happy memory, having ordered a visitation in the English college at Rome, under the inspection of the reverend Signor Morra, and the students' and priests' reasons against their jesuit confessor, and repetitors of the same society, being heard and discussed, not only the repetitors, but the confessor also was removed; and those employments given to the clergy, though at the same time a jesuit still remained rector of the college. Now, if the seminary at Douay, from the beginning, was governed only by the clergy, and had, only of late years, a jesuit for their confessor, which was procured by the jesuits above, *reclamante clero*, nothing can ap-

[1] [Of this fact I have had occasion to speak in the account of the visitation of the English seminary at Rome, in 1623.—*T.*]

pear more reasonable, than that matters should be ordered according to the original institution, and the clergy replaced in the confession seat. By this means it will come to pass, that, all jealousies and occasions of contention being removed, we may mutually labour for peace, and put an end to party disputes, by embracing the jesuits, as also all other regulars, with a sincere affection in the bowels of Jesus Christ; as it has always been our cordial wishes.

In the mean time, it is a melancholy reflection to see all things in the utmost confusion amongst us; and that nothing should be approved of, either in the seminary, or elsewhere among the clergy, but what first passes through the jesuits' hands, and receives a sanction from them; as if we were destined to be their slaves. For, to speak the truth, things, of late years, were come to such a pass, that, whatever affairs were in agitation concerning the clergy (we shall not mention others), means were found to have them first canvassed in the society, and clandestinely brought under their jurisdiction. By this method, the clergy were obliged to admit of a new kind of economy by their contrivance; and their creatures, being appointed superiors, governed them at pleasure, notwithstanding the appeals and remonstrances almost yearly sent to Rome, to complain of the hardship. At last, the disturbances, occasioned by this way of proceeding, arrived at such a height, that pope Clement VIII. thought it necessary to interpose his authority, and silence both parties by a particular brief for that purpose; which, in a great measure, pacified men's minds, your holiness at that time being very instrumental in the work. Mean time, the jesuits, apprehending lest their interest should gradually decline by this cessation, gave occasion of new disturbances in the seminaries at Rome, and in Spain, where every thing was in confusion, and those establishments for the benefit of the clergy managed in such a manner (as we observed before), as if the intention of the founders had been only to furnish them with so many noviceships. An instance of this may be found in the seminary in Rome, which is placed under your holiness's eye. Formerly, it sent forth yearly many labourers into the vineyard; but now, scarce one in two, or sometimes in three, years. Young men of the most promising parts have no sooner completed their studies, but they are despatched away into Flanders, to commence their noviceship in the society; by which method the clergy are deprived of their right, and the intention of the founder, pope Gregory XIII., entirely frustrated. This brings into our memory what the illustrious Allen so much complained of, towards the latter end of his days, against the rectors of the seminary in Rome, who had so many

ways of drawing the students into their society; as also against father Persons, who put his brethren upon the same method in the Spanish seminaries, where, though he pretended they were founded, to propagate the English clergy, and upon that view procured large benefactions for their subsistence, yet the greatest part of those charities were employed in fitting up young men for the society. We only wish that your holiness would condescend so far, as to inspect the number of jesuits, that are maintained in those seminaries, where they are superiors; and they will plainly appear to be rather colleges entirely appropriated to the society, than seminaries designed for the clergy. Add to this, that, when any of the clergy missioners, after several years' imprisonment, are sent into banishment, they have no place of refuge, even for one night's lodging; which circumstance, as it will astonish posterity, when they read it in the annals of the church, so it is not the least hardship the clergy lie under, nor unseasonably made mention of, upon the present occasion. On the other hand, when the jesuits happen to be sent into banishment, they meet with good entertainment abroad. For, besides several particular residentiaries, they have three colleges, viz. at St. Omer's, Louvain, and Liege; at which last place a good foundation and a noble structure have been obtained for their profit only; whereas the secular clergy, who have undergone all the toil and heat of the day, when they are banished, find no place to put their heads in (excepting the college in Douay, which is too small, and labours under too many difficulties, to afford them entertainment); but, being obliged to return back into England, are sometimes, in a few months, or may be in a few days, recommitted to the same prisons, from whence they lately, with great difficulty, had been freed. These things, as they have often happened before, so we have a late instance, in several of our brethren being discharged upon condition of going into exile, and retaken upon their returning.

But to proceed;—nothing can be a more convincing proof, how ill the affairs of the clergy succeed under the direction of the society, than to consider, that those few clergymen, who are sent into England from their seminaries, come amongst us without dismissory letters, to signify who they are, or to give proper testimonials of their learning, behaviour, morals, and other qualifications, we ought to be made acquainted with; as if they were not to be under our inspection[1]. This

[1] [This complaint was often urged by Birkhead, in his letters and memorials to Rome. Writing to More, in August, 1613, he says,—"I like well of your supplication about those that are sent hither from the college. They had wont to send me word of their coming, and offer their obedience: now, few of them

we look upon to be highly injurious, and prejudicial to all ecclesiastical order and discipline. And yet, after all these grievances, and injuries offered to the clergy, though the jesuits are masters of five seminaries, and that of Douay only is in our hands, it is so influenced by their contrivances, that we can scarce call it our own. They daily endeavour to distress it more and more, and, as the prophet Nathan said to David, feast themselves upon that only sheep, which the poor man was master of. To this purpose, some of them have lately spread about a report, that the worthy president, Dr. Kellison, is in a short time to be displaced; and though we are persuaded your holiness had never any such thoughts, yet we cannot but resent it, that such rumours should find encouragement against a person of his worth, and unblemished character.

These matters, most holy father, we make bold to lay before you, not to asperse the society, or detract from their personal merits, whom we embrace with a sincere charity in Christ, as brethren and fellow-labourers; but only to express the inward sorrow of our hearts, at the dejected and deplorable condition of the clergy: and applying ourselves to your holiness for relief, we approach you with the same submission, as children do a parent, and members their head.

The whole of the matter, therefore, lies in this one point,—that the jesuits may be prohibited from exercising any power or jurisdiction over the clergy, or their colleges; with an injunction not to intermeddle with our affairs, no more than we do with theirs. For this we humbly beseech your holiness to interpose your authority, and repeat our petition over and over again at your holiness's feet, and in the presence of God, Christ Jesus, and all the angels in heaven. Wherefore, if there be any comfort in Christ, any relief from charity, any society of spirit, any bowels of compassion, render, O holy father, our joy complete by a seasonable decree in our favour; that every body may enjoy itself, and perform its functions by its own proper members; and so cut off all occasion of contention. For we must needs own, and confess to your holiness, that, though we have always

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do it. Others have better means to help them, and so they contemn me" (August 23, 1613. Original in my possession):—and again, in an address to the protector, written in the following December, he adds,—"Quod verò ad ipsos tyrones attinet, ubicumque fuerint educati, sive apud patres societatis, sive in præfato nostro collegio Duaceno, necessarium arbitror esse primò, ut dimissi ex collegiis, atque in hanc patriam destinati, superiorum suorum veniant commendatione muniti, *quod tamen hactenùs* perquàm rarissimè, nisi à D. Præside Duaceno, et semel tantùm à reverendo admodùm patre P. Joanne Desperare, collegii Anglorum Vallesoletani rectore, præstitum fuit." Dec. 3, 1613. More's copy in my possession.—*T.*]

met with very severe treatment from heretics, yet it never went so near our hearts, as that we have received from the hands of the jesuits. For these reasons, we cease not to importune your holiness, and, with redoubled petitions, beseech you, through the bowels of Christ, not to add sorrow to sorrow, but to grant what we sue for; that the root of contention being plucked up, and all occasions removed, as we are all labourers for the same cause, so we may live in unity in the house of the Lord. This is the only thing we desire, and the true motive of this supplication to your holiness.

It only remains, that we put you in mind of the great labours of the secular clergy, and humbly recommend unto your holiness's protection the seminary in Douay; so well deserving of the English nation, that, in less than sixty years, a hundred and twelve missioners, educated within those walls, have laid down their lives, and suffered martyrdom, in defence of the apostolic see. Mean time we will beseech the Almighty to preserve your holiness's life, for the good of his church, for the good of our country, as also of us your petitioners. Given at London, December 20, 1619.

Your holiness's children and servants with all humility,

WILLIAM HARRISON, *Archpriest.*

Morgan Clenoch, *Assistant.*
John Bosvile, *Assistant.*
Cuthbert Trolloppe, *Assistant.*
John Jackson, *Assistant.*
John Bennet, *Assistant.*
John Colleton, *Assistant.*
John Mitchel, *Assistant.*
Edward Bennet, *Assistant.*
Richard Broughton, *Assistant.*
Roger Strickland, *Assistant.*
Joseph Heynes, *Assistant.*

*** *Farnese to Kellison. January* 26, 1620.

[Bishop Dicconson's Papers, iv. 30, in Ushaw MSS.]

Admodum reverende Domine,

Quæ de alumnis collegii Anglorum Duaceni ad publicas scholas societatis Jesu accedentibus de mandato S.D.N., mense Augusti, scripta sunt, non eo sensu recipi debent, quo dominatio vestra apologeticè scribit: non enim coguntur dictas scholas omninò adire alumni, ita ut inter privatos parietes collegii erudiri et doceri non possint; sed, ubi scholas societatis frequentare voluerint, disciplinæ ministrorum ejusdem eos subjici convenit, et rationi congruit ut [ea quæ] scripta sunt ad amussim ipsimet servent, prout alii scholares, et in eâdem scholâ non sit habenda distinctio aliquorum, sed omnes pari formâ, et eâdem disciplinâ, agere, convenire, et incedere debeant.

Capita transmissa D. archiepiscopo Salernitano, nuncio, conscripta

sunt sermone Italico ; neque conveniunt exemplari ea quæ dominatio vestra inserit in suis literis ; neque illationes vel argumenta, quibus ipsamet utitur, elici jure possunt[1]. Et profectò, si dominatio vestra pacato animo legeret nunc quæ commoto et forsan irato scripsit, semet-ipsam damnaret, atque propensionem ac humanitatem erga societatem, hactenùs literis mihi significatam, non reperiret ; mirareturque sacerdotem theologum, in rebus gerendis expertem, ac omnia charitatis officia sæpiùs erga societatem promittentem, non sine offensione lapsum esse. Sed ita fert humana conditio. Spero jam, absque causâ mutatum, ad pristinum statum seriò reversurum, atque non sine fœnore quæcumque promisit restiturum.

Si in domo collegii, *accedente consensu domini nuncii apostolici*, scholares detineri ac erudiri debent, de ordinibus datis curandum non est : at si ad scholas societatis aliquando sunt accessuri, prout hactenùs fecerunt (et eorum in hoc perseverantiam exoptamus), exactè illos servare debebunt :—neque diutiùs ad singula capita proposita respondendum est, ne antipologiam conficere videar.

De confessario autem societatis nihil est dicendum, obstante silentio jamdudùm à suâ sanctitate imposito : sed ne provisio talis confessarii supervacanea reddatur, dominatio vestra curet, ut duo alumni, prout hactenùs est factum, accedant ad domum societatis, comitenturque confessarium ad collegium singulis diebus sabbati, et vigiliis celebriorum festivitatum, ut ipse se exponat quibuscumque eidem confiteri volentibus, licet ex regulis teneantur tantùm singulis mensibus, et celebrioribus diebus ; — in quo nullum impedimentum inferendum est dictis alumnis, quominùs liberè confessario ordinario sacramentaliter, quandocumque voluerint, confiteantur.

Curæ demùm dominationi vestræ erit, ut exercitiis spiritualibus ex formâ regularum alumni incumbant, et catechistæ officium jam præscriptum plenè adimpleatur ; cum valdè ad pietatem conducat, nec sine

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[1] [Whatever may have been the protector's real meaning, it is certain that his *words*, at least, could not have been misinterpreted, as he here pretends. Kellison was not the only person who so understood them. The nuncio, Morra, who was an Italian, and must have been acquainted with the language, affixed the same meaning to them. He read them, as Kellison read them ; and actually wrote to their author (October 19, 1619), to complain of the new regulations, and to second the remonstrances of the president against them. Farnese replied to Morra, as he replied to Kellison, that there was no intention to compel the scholars to attend the schools of the fathers (Bishop Dicconson's Papers, iv. 29, in Ushaw MSS.) : and yet the reader will see that, even in the present letter, he restricts the authority of the president, in this matter, and requires the assent of the nuncio, before the students shall be withdrawn from the tuition of the jesuit professors.—*T.*]

culpâ prætermitti queat. Deum postremò propitium dominationi vestræ ac universo collegio deprecor. Parmæ, die 26 Januarii, 1620.

Dominationis vestræ amantissimus,

ODOARDUS CARDINALIS FARNESIUS.

No. XXXVI.—(*Referred to at page* 82.)

*** *Harrison to the Protector Farnese, April* 7, 1618.

[Copy in Harrison's own handwriting, in my possession.]

Illustrissime Domine,

Cum anno præterito aliquoties scripserim ad illustrissimam D. V. de statu rerum nostrarum, ac nonnulla etiam, de consensu fratrum meorum assistentium, et rogatu reverendi domini præsidis Duacensis, quæ spectant ad bonum illius collegii, cum adhuc responsum nullum receperim, denuò rescribere quæ ad nos spectant decrevi. Si libera mihi facultas detur, illustrissime domine, necessarium futurum existimo (salvo superiorum judicio), ut aliqua hìc esset subordinatio inter clerum Anglicanum, et decem, vel undecim ordines religiosorum, inter quos et nos, ac inter se aliquando, exoriuntur controversiæ, nec facilè possimus semper ad urbem mittere, et responsa habere; cum egomet jam ferè per triennium onus istud grave, satis tamen pacificè et concorditer cum omnibus (uti spero), sustinuerim, et singulis annis ad urbem bis terve scripserim ad illustrissimos cardinales, protectorem et vice-protectorem, et aliqua etiam sanctissimo domino nostro proposuerim, ex fratrum consilio, nec tamen adhùc responsum aliquod recepi. Nuper etiam, anno præterito, magna fuit inter nos et religiosos confusio et contentio de jubilæo recipiendo et promulgando. Collegium nostrum Duacenum, ubi sexaginta alumni degunt, habet illustrissimum dominum nuncium in Belgio, ad quem confugiant, si quæstio aliqua et difficultas exurgat: et nos quingenti, ut fertur, sumus, qui intervallo locorum separati, ac diversæ vitæ institutione et professione disjuncti sumus, superiorem nullum apud nos habemus, qui possit lites et controversias componere. Religiosi aliqui jactant et gloriantur se habere facultates ampliores et largiores quàm nos habemus; et sæcularibus sacerdotibus facultates concedunt: cuperem tamen ut pari saltem passu cum illis incederemus, et ut antiquus honor et splendor, qui debetur clero nostro, conservetur, et ut occasiones istæ murmurandi de facultatum amplitudine et inordinatâ distributione removerentur. Denique humiliter peto, quod etiam alii omnes confratres desiderant, ut decretum bullæ Clementis octavi renovetur et observetur; ut omnes novitii religiosorum annum probationis in suis monasteriis transmarinis faciant, antequàm hùc veniant; et ut superiores religiosorum dent nomina

suorum religiosorum archipresbytero, ut possit gregem sibi commissum cognoscere, ad vitanda multa incommoda quæ hinc sequuntur, quòd religiosi sic latenter ambulent; et ut facultates extraordinarias, quas sæculares sacerdotes digni videbuntur habere, ab archipresbytero, et non à religiosis, petant, ut clarissimè declaratur inter facultates mihi concessas à sanctissimo domino nostro. At ne prolixus et molestior sim, finem scribendi facio, Deum Opt. Max. orans ut illustrissimam D. V. diù conservet incolumem. Londini, 7 Aprilis, 1618.

Illustrissimæ D. V. studiosissimus,

Gul. Har. A.

No. XXXVII.—(*Referred to at page* 87.)

*** *John Bennet to Kellison, Nov.* 26, 1621.

[Original in my possession.]

Reverend Sir,

It is now five days since we arrived here, our journey having been longer and more dangerous than we expected. Your business with the duke of Feria I followed with the care that was due. I found him noble, and truly affected to our nation. I was lodged at his house, and dieted at his table, which is no small nor usual favour there. I have his honourable word in your behalf, and whatsoever by promises could be required, for soliciting your suit in the court of Spain. If [there is] any particular course you can think upon, wherein he may do good, I dare promise his willingness.

When I came hither, I found neither my letters left at London, nor those you promised in my business. My journey was bruited long before I came; and all the opposition, that possibly our old friends can make, is prepared. I am expected to deliver my business by all these great men; and all my necessary writings are wanting. I do assure you, this hath exceedingly afflicted me, and is enough to overthrow a good cause: yet I have made the best use of such things [as] I had about me; and to his holiness, by a sound means, so handsomely excused this defect, that I hope I shall take no harm thereby, so as you and others will be diligent to help this matter in time. The truth is, I fear my letters are intercepted; for the jesuits can deliver many particulars contained therein: and, in ten weeks, if they be safe, it is not likely they should be kept unsent. * * *

The jesuits here are making catalogues of lay people's names, who forsooth would have no bishops; and this, as a great weapon, they purpose to use, and adding, that never a catholic in England desireth bishops but my lord Dormer. I desire my cousin Hervey and others,

if possible, to procure the ambassador of France and of Spain their several testimonies in this behalf: and if from the , or other public person, they can draw the like, and carry it so privately that there be no notice taken, and send it me, it may be I would give them a blow worth the giving. The next, I hope, I shall be more at leisure, and you shall hear more. In the mean, I pray you send this safely and speedily: you see how much it doth concern. * * If now we fail, our hopes for hereafter will be small, except times greatly change, &c. 26 November, 1621.

Yours ever to use,
JOHN BENNET.

*** *The same to Dr. Bishop. Feb.* 22, 1622.

[Original in my possession.]

Worthy Sir,

I writ the last week by a post, who promised to deliver my letters with his own hands at the college of Arras. By those you understand that divers of your letters came not unto my hands, and, namely, that letter of the nuncio to cardinal Ludovisio, sent in father rector[1] his packet. I challenge nobody, for I know my answer: but I pray let the nuncio understand how it is. * *

On Saturday last was sevennight, I had audience with his holiness, who, unto God be thanks, is recovered. He shewed himself, as ever, fatherly. My business is remitted, according to my request, to the inquisition, contrary to another order, which I got at that audience revoked. I desire no better judges, for many reasons. I have already informed most of them, and find them very well inclined. Opposition I am assured of, which perchance may cause delay: but I hope, in the end, to do well enough with them. I have dealt very plainly with all sorts; and the equity of our cause weigheth where it cometh. To-morrow it is to be proposed in congregation; and, in the next, I make account to be called and heard publicly, as in the other business[2]. I trust in God not to be wanting with my best endeavours, if not to answer the weight of the burthen as were requisite, yet to say *that* shall give them to understand our petition is reasonable. Our reasons, given in writing, have given very good satisfaction, that I hope the ice is well broken. My trust is wholly in God, and the good prayers of our friends, who, I suppose, assist daily in so weighty affair.

The decree of dispensation is not yet published; these great men

[1] [Fitzherbert, now rector of the English college at Rome.—*T.*]
[2] [The dispensation for the Spanish match.—*T.*]

being daily brought into doubts of our affairs in England, and the recalling of the parliament: but the truth of that will soon appear, and all, doubtless, will go on well, or, at least, the fault will not be here; for, I assure you, both his holiness and these great men are as desirous to give our king all satisfaction as we desire; and the power of our *æmuli*, who opposed that, and oppose underhand our present suit, is not such here as they would have the world believe. But justice may be had, although they did endeavour, with all their force, to hinder it. * * *

The prelates of France are our friends, and stead us much in the suit of the clergy; but specially the bishop of Aire, to whose charity and endeavours we are exceedingly beholding. * * I rest ever,

Yours,

Feb. 22. Jo. Bennet.

*** *The same to his brother, Edward Bennet. March* 18, 1622.

[Original in my possession.]

Sir,

* * At my third audience, his holiness referred the business of our clergy to the inquisition, which was my suit: and that industry hath been used, that our opposites had fully resolved, at the first congregation, to have cut off all treaty, by virtue of a decree of Paul the fifth, which they kept in the dark; and, upon this ground, as I suppose, they gave out, ere I came to the city, that my business was ended for me, long before I came. And albeit I little regarded that brag, yet had they surer grounds than then I suspected: but my audience with our father frustrated all their hopes, and brought the matter to discussion, notwithstanding that decree. And albeit they omitted no mean underhand to cast blocks in my way, yet, after that day, do I think that they have lost hope to hinder us, albeit they may delay for a while.

Our reasons exhibited are here judged so pregnant, that all indifferent men are ours. Our confidence and resolution in requiring justice, and charging the consciences of our superiors, also requiring public trial, and that our opposites come forth, and that both parties may be heard, hath given a great testimony of our sincerity, and maketh all men disclaim in public from opposition. Some encounter I have had sufficient to have discouraged any but a choleric disposition: but I confess they heated me so, that I was rather too rough and desperate, than fearful of any thing; and so I told them plainly: but that did me no harm, nor my cause, as afterwards I found.

Of late, I hear, they offer to join with us, so their privileges be not touched. I take no notice hereof; knowing well they never will help us, if all their force can hinder us; which, to tell you what I think, I believe they cannot. To God only be the glory, who hath assisted in this difficult affair beyond all hope: for all the forces, we made ourselves assured of, failed; and new acquaintance God raised, to bring this affair to this hopeful pass. A congregation I shall have, of this matter severally, *seclusis aliis negotiis*, where I shall be heard; wherewith I am well satisfied, trusting all in God first, then the goodness of my cause, which only I am well betten (*confident?*) in, and in my poor oratory, in truth, nothing. I hope you there remember the matter to God daily. * * And so God keep you. March 18.

Yours,

EATON[1]. (*John Bennet*).

*** *The same to Dr. Bishop. May* 18, 1622.

[Original in my possession.]

Sir,

* * Your letters of the eighteenth of the last month came in good time. Our opposites employ their time in spreading tales, to put lets in both my businesses. And being one day with cardinal Bandini, a prelate of very great authority here, and our special patron, he told me divers of these reports. It fortuned that, as I was coming out of his doors, a messenger from father Bertin brought me your packet. I perused it in the way homeward, which was not far; and, as soon as I came to my lodging, I put certain clauses of it in Latin, and somewhat of that out of England, and forthwith gave it the said cardinal. He was very glad of the news, and, the next day, being congregation day for the holy office, read it publicly; and he told me after that it gave much content, specially that clause wherein it was said that his majesty had taken order for the quiet of catholics. Now likewise the same news-makers say that our king hath sent soldiers to the palatinate, and his banner is there displayed against the emperor; but this we assure ourselves by other letters to be false: yet this doth serve the turn to put doubts and lets, for the present: but all is to small purpose; for I do assuredly hope they will not be powerful to hinder neither affair.

This week I had received resolution concerning bishops, had not his holiness gone to Frescati, for recovering his spirits: the next, I am

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[1] [This name, which was probably a family name, is used by both brothers, in their correspondence with each other.—*T.*]

certainly promised; and, I hope, with success to my liking: albeit I confess, all men are not of my mind: yet I suppose I know more in this affair than every one doth. If I fail, it shall not be for want of plain dealing, nor, I hope, for want of diligence in me: the rest I leave to God. Ours in England are so frighted with impostures of our opposites, that it troubleth me much; but most of all, that they tell me they have not received above two letters from me. Good sir, I pray send yours, as you have means, and satisfy them that I write every week commonly, either by you, by Douay, or by Flanders. Let them doubt nothing. My health was never better, my resolution never firmer, my hopes never stronger. I hope to see an end in few days: but, God assisting, an end I shall see ere I depart. If my letters miscarry, let not that trouble them. Let them, for all, be diligent to instruct me, and I will make use of that for their good.

When I had written thus far, a packet from Mr. More came unto my hands, containing good directions. I am now wholly employed in my own business; my companion being departed ten days since[1], and I, left alone, was never more loaden; but I hope to do well enough. This next week, I am promised a resolution; and, for that cause, our opposites were never so busy; and I must look about me carefully, to answer all. God will help, I doubt not. * * May 18.

Jo. BENNET.

*** *The same to Kellison. May* 21, 1622.

[Original in my possession.]

Reverend Sir,

I writ the last week at large by Paris, which I find the shortest and speediest way. * * For Dr. Worthington's reports, regard them not. His holiness this day cometh back from Frescati. He is well in health, God be thanked. His absence hath put off our business to the next week; and I fear Corpus Christi day, which is the day the congregation of the holy office is usually held before his holiness, may chance cast it off one week longer; and then we shall see the success of our long and wearisome negotiation, whereof, as I often wrote, I make no doubt; for which I have more reasons than I commit to this paper, howsoever many are very doubtful. * *

My companion is now, I suppose, about Milan, in his way to you. I pray God speed him well. I was never busier, yet all alone. Mr.

[1] [Farrar was compelled to leave Rome, on account of his health. He returned, and took up his abode at Douay. Diary, i. 199.—*T.*]

Yates, I thank him, is some help and comfort to me, who remembereth his service to you. * * God keep you. May 21.

Yours ever to dispose,

Jo. BENNET.

The pieces now go off at Monte Cavallo, by which I perceive his holiness is come. I go this afternoon to procure audience for to-morrow, yet must this day think with my chief patron, cardinal Bandini, about a congregation for the dispensation, and the other business too.

*** *The same to his brother, Edward Bennet. May* 25, 1622.

[Original in my possession.]

Sir,

By this last post, I received two of yours, both written at London, &c. The dispensation is indeed agreed upon, and here will be no difficulty made, if there be no let elsewhere. Out of Spain likewise our news are very good, and the king there hastens the publication: and you there proceeding with that satisfaction to this court, I see no cause of let. We shall have a congregation, presently upon the holidays, and then expect a final determination.

My business touching the clergy dependeth in the inquisition, as I have heretofore written. There have been so many objections heretofore made, that the review of them requireth some time; but I suppose they be all answered so fully, that they will little hinder our suit. Our opposites omit no means or sleight to defeat us; but they are so eagerly called upon to appear, that they dare not be too bold: for if I can fasten upon them that they meddle, I desire no more. Within these two days, I gave a supplication to Gregory for despatch, which I hope to have. And, to deal truly, for the affair itself, the cause is so just, and beaten here so earnestly and plainly, that I little doubt the success. I have great cause to acknowledge God his goodness, in this whole treaty: for truly, considering how my surest hopes failed me, and wrought only by new acquaintance, it is beyond expectation, that a business so opposed should have so good passage. Finally, God assisting, we will either succeed, or not fail to tell these great men the wrong we receive. But I find all superiors so feeling, and capable of our miseries, and so just withal, that I little regard the slight and imaginary power of our opposites, which here is not such as they would have the world think. * * Certain Scottish franciscans pretended a mission for their country here, and were opposed by the common adversaries, with all their might. The last week, the matter was decreed for them, by the uniform censure of twelve cardinals, *nemine dempto.*

This passed in the congregation *de propagandâ fide*, lately set up by Gregory: which is another testimony, our opposites be not here omnipotent. * * * God keep you and yours. May 25.

Yours ever,

Eaton (*John Bennet*).

*** *The same to Bishop. May* 27, 1622.

[Original in my possession.]

Sir,

By the last I have informed you of the estate of our affairs. Sithence, we have done no great matter, for that his holiness hath been absent at Frescati: for, had he been here, we had received our final answer in our suit of bishops. If I understand that he returneth not soon, I must thither to him.

Sithence the departure of my companion, I have been exceeding busy; for now the cause required it, expecting the last push, and I having many to solicit, and new objections to answer: and if all my guesses fail me not, they have resolved what to do, after long and very exact examining of all whatsoever hath or could be said in that business. And I suppose we shall receive resolution to our content; for we have made it appear, we require but reason; and importunately insist upon our right: and if a due course be not taken, we call God and the world to witness the fault is not ours, but that superiors must be accountable for the harms, ensuing out of want of due order and government amongst us.

Cardinal Sourdis departeth hence, within these two days; whereof I am very sorry. He is of the inquisition, and greatly affected our affairs. I have been with him, and entreated he would declare his judgment in our business, both in the congregation, and also to his holiness, when he took his leave. He promised me faithfully he would, and, I perceive, hath done so, with very effectual words, and, as my lord of Aire telleth me, resolveth to leave it in writing; which will be to great purpose. I will see him again. He, breaking the ice in this manner, doth half effect the whole work; specially, being of that authority here; and, where he taketh, dealeth not slightly, but breaketh over or through all oppositions; which the Italians hardly will adventure to do:—wherefore, I say, his beginning is of main consequence.

The congregation was held this last evening; and, Friday morning, the cardinal took his leave of his holiness, then going to Frescati, from whence he was returned only to Nemi, the feast of Corpus Christi. When the cardinal cometh to Paris, I pray that yourself and Dr. Smith

will repair to him, and take notice of what I write of his favours shewed us, and that our brethren in England are informed of the same, and give thanks, as you know best. He promiseth, when he is in his bishopric, to help us wherein soever we shall have cause to request him, either out of England, or other places. This likewise you must take notice of. In this court he can do much; and his endeavours and authority may stead many ways hereafter. * * Hitherto nothing could be done with his holiness, having been partly sick, partly absent, ever since Easter. * * Rome, this 27 of May.

Your's ever,

Jo. Bennet.

The post not departing so soon as it was said, * * I thought it needful to open these. * * Cardinal Sourdis is this day departed. I took my leave of him, and was exceeding kindly used by him, with much shew of affection to our cause and nation. He hath done us great pleasure, and, had he stayed, would have steaded us in many things exceedingly. June 1°.—To-morrow I go to Frescati, God willing.—Having thought to end here, I went to Cardinal Bandini, to acquaint him with my purpose for Frescati. He told me it was well; but his holiness would be here that very day; which fell out so. This last night, he came. To-day he resteth: to-morrow I am for my audience. God keep you. June 1.

**** *De Episcopis in Angliâ Judicia Cardinalium Bandini et Mellini*, 1622.

[Gradwell MS. 299.]

Cessaverant jam diuturnæ et importunæ cleri Anglicani postulationes, ob decretum Pauli V., circa annum 1612, in sacrâ congregatione inquisitionis stabilitum, ne quid amplius de episcopis in Angliâ creandis, sine generali et explorato catholicorum sensu, proponeretur[1]: et tanquam ex hoc uno fonte discordia omnis clerum inter et regulares promanaret, ipsæ etiam pertinaces longissimi temporis contentiones sopitæ et fere sepultæ jacebant, quando mors Pauli V., sub initium hujus sæculi 21, vitam simul attulit. Cum novâ enim Gregorii XV. electione reflorescere cœperunt antiquæ spes, quas etiam favorum undique blandientium adminicula mirificè excitabant. Etenim non Galli duntaxat, antiqui propositi tenaces, opem suam clero liberaliter offerebant, sed comes etiam Gondomarus, Hispanus in Angliâ orator, studium

[1] [The reader will not fail to remark that this report is drawn up by some person evidently opposed both to the clergy and to their petitions.—*T.*]

suum et officium contulit, ratus scilicet ex episcoporum creatione aditum Romæ molliorem fore, ad dispensationem impetrandam pro contrahendo inter principem Walliæ et sororem regis Hispaniæ matrimonio, in quo spes omnes ferè dignitatis suæ collocatas habet. Accedebat ipsa temporis in Angliâ conditio, quæ, ob desiderium quo tenebatur rex Jacobus Hispanici matrimonii, vehementer mutata, et ferè à satellitum incursionibus, à pecuniarum mulctis, à vinculis et carceribus catholicorum immunis, imaginem quandam præ se ferebat tranquillissimæ libertatis ; adeò ut haud pauci ex clero sacerdotes, futuræ calamitatis immemores, in ipsis hæreticorum oculis publicè versarentur. Denique, fama erat ipsum regem haud fuisse ab episcopis habendis alienum ; quæ eo credibilior visa est, quòd jam Romæ, pro dispensatione impetrandâ, agentem destinasset, et literas humanitatis plenas ad cardinales Bandinum et Ludovisium dedisset.

Hoc tanto spei apparatu instructi, veniunt Romam, sub initium Novembris, ejusdem anni, duo cleri procuratores, qui statim nacti sunt Ingolum, sacræ congregationis de propagandâ fide secretarium, et cardinalem Bandinum, negotiorum suorum egregios patronos. Re ergo haud ita multò post in sacræ inquisitionis congregatione in deliberationem vocatâ, cardinalis Bandinus, qui jam pro creatione episcoporum argumenta undiquè conquisiverat, causam cleri vehementer promovere cœpit ;—nimirùm, postulari à sede apostolicâ rem planè æquissimam, quam Christi institutio et veteris ecclesiæ consuetudo roborabat ; cum clero conspirare catholicorum vota, qui ægre ferebant tot se annis sacramento confirmationis privari ; adstipulari etiam religiosorum ordines, si jesuitas excipias, quorum in hoc negotio non magna ratio habenda erat ; oratores Gallos et Hispanos id judicare expedire, qui meritò apud reges suos conqueri possent, si in re tàm piâ judicia sua preteriri viderent ; regem ipsum Angliæ haud alienum esse, ejusque rei testes esse vel agentem ipsius Romæ commorantem, vel literas ad nonnullos cardinales datas, omni humanitatis et officii genere refertas, vel quietem et tranquillitatem catholicorum, quam auctiorem indiès futuram, matrimonium inter principem Walliæ et sororem regis Hispaniæ ineundum promittebat : Et quamvis tempora iniqua et turbulenta forent, non esse tamen posse truculentiora quàm sub Nerone et Domitiano, quando ubique locorum episcopi constituti sunt ; et quidem meritò, cum sine episcopis, qui principes hierarchiæ et canonum executores sunt, nec sacramenta ordinis aut confirmationis haberi, nec chrisma aut oleum infirmorum confici, nec altaria consecrari, nec disciplina ecclesiastica custodiri, nec clerus in suos ordines et classes distribui, nec laïci de pastoribus provideri, aut in officio contineri, nec matrimonia

ritè et sanctè stabiliri, eorumque causæ judicari, nec pauperiores catholici aut doctrinâ salutari instrui, aut sacramentis necessariis muniri, aut eleemosynis juvari, nec legata pia aut charitativa subsidia executioni fideliter mandari, nec denique quidquam in aliquo regno ad fidem catholicam vel confirmandam vel augendam constitui possunt : quòd si Anglia, ab initio persecutionis, episcopos habuisset, et religio florentior, et discordiæ minores, et abusus et scandala pauciora fuissent; ipsa etiam conjuratio pulveraria, quæ tanta jam mala peperit, sepulta jacuisset : Dandum ergo esse sine dubio Anglis episcopum ; nec clerum illum tot viris doctis et illustribus conspicuum, tot martyribus insignem, tot laboribus pro fide exantlatis gloriosum, cum mœrore et ignominiâ dimitti, in re præsertim quam cœlum ipsum, ac divina institutio, et christianus orbis universus approbat.

E contra verò, cardinalis Mellinus, vir ob multorum experientiam annorum in rebus Anglicanis versatissimus, dixit quidem plurima graviter et prudenter à cardinale Bandino considerata fuisse, quæ suo etiam calculo libenter approbaret, nisi, jam antea accuratè expensa, visa fuissent et summis pontificibus et sapientissimis cardinalibus, de hoc eodem negotio sæpe congregatis, haud multum momenti habere, præ incommodis quæ ex episcoporum in Angliâ creatione timeri possent ; æquum quidem esse ut clerus episcopum deposcat, sed videndum priùs an tempori et loco conveniat ; institutionem Christi in ædificationem esse, non in destructionem, quam extendere ad omnem prorsùs ecclesiam particularem, nullis locorum, temporum, aut difficultatum circumstantiis exceptis, videri planè contra receptam theologorum doctrinam, contra amplissimam papæ potestatem, contra multorum pontificum et sacræ congregationis decreta, contra ipsam denique ecclesiæ primitivæ praxim ; notum siquidem ex historiis esse, Africam, sub Thrasimundo rege variis ecclesiis et catholicis abundantem, viginti septem annis episcopis caruisse, nec ex 225 episcopis in Sardiniam relegatis, ibique diù Symmachi papæ liberalitate sustentatis, vel unum eo tempore rediisse, etiam clàm et mutatâ veste, ne scilicet regis ira, et persecutio graviùs accenderetur ; nimirùm, Africam tunc temporis habuisse sacerdotes quamplurimos, qui pœnitentiam, eucharistiam, et sacramenta necessaria administrabant, ubi hæc abundè suppetunt ; jus divinum non obligare summum pontificem, ut, gravibus de causis, unam aut alteram ecclesiam particularem in partem solicitudinis propriæ assumere, et sine episcopo relinquere, non possit ; de sacramento confirmationis, ex communi theologorum sententiâ, aut nullum præceptum extare, aut ejus effectum suppleri (uti Anglia ipsa, uti Japonia testatur), aut denique, [si] necessitas urgeat, vel per episcopum Hiber-

num festinanter transeuntem tutiùs administrari, vel simplici etiam sacerdoti committi posse ; extare hujus rei exempla in conciliis generalibus et provincialibus, in pontificum responsis, in praxi veteris et hodiernæ ecclesiæ, nec ullum ex totâ antiquitate exemplum citari posse, quod vel leviter ostendat, pro sacramento confirmationis impertiendo, cum incremento præsertim persecutionis, aliorumque incommodorum periculo, episcopum alicubi constitutum esse ; primitivam ecclesiam ideò ferè ubique episcopos ordinasse, tùm quia alioquin christiani sacerdotibus caruissent, tùm quia ad summos pontifices in cryptis et speluncis latitantes recurrere non poterant, ideoque factum ut singuli episcopi in suis diœcesibus papali ferè tunc auctoritate gauderent, qui tamen, ne aliis periculo essent, non domos catholicorum, sed caveas et solitudines conquirebant ; aliam jam esse in Angliâ rationem, erecta siquidem esse Romæ, in Hispaniâ, in Belgio, summorum pontificum liberalitate et procuratione, multa seminaria, ex quibus quotannis prodeunt sacerdotes ad fidem in illo regno propagandam ; ordines etiam religiosos, ex sedis apostolicæ auctoritate, multos operarios destinare ; nihil Angliæ incommodiùs accidere posse, quàm si inibi sacerdotes consecrentur, indocti scilicet, inexperti, ab hæresi sæpè calentes, qui catholicæ ecclesiæ faciem aut ritus nunquam viderunt ; sacerdotes et religiosos, qui nunc sunt in Angliâ, excurrere sæpissimè ad pagos et pauperum domos, adeò ut nemo sit, nisi salutem suam supinè negligat, qui doctrinâ christianâ abundè instrui, et sacramenta ecclesiæ, non solùm in articulo necessitatis, sed singulis etiam mensibus, percipere non possit ; chrisma et oleum infirmorum ex transmarinis partibus sine ullo periculo et difficultate copiosè haberi, nec id mirum esse, si quis consideret olim totius orientis ecclesias à Constantinopolitano patriarchâ solitas esse chrisma petere ; altarium, calicum, et similium consecrationem de jure mero ecclesiastico esse, adeòque frequentissimè et olim et hodiè à summis pontificibus et sacræ inquisitionis congregatione sacerdotibus committi ; imò, tametsi decem essent in Angliâ episcopi, adhuc harum rerum consecrationem sacerdotibus demandari debere, ob locorum distantiam, ob itinerum discrimina, ne scilicet, ab hæreticis deprehensæ, gravis periculi occasionem præbeant ; gubernationem cleri non à potestate ordinis pendere, ejusque rei testes esse tot ecclesias et diœceses ab abbatibus, aliisque ne quidem sacerdotium habentibus, vel hodiè gubernatas ; summos pontifices illius regni curam in se suscepisse, et cardinales protectores tanquam vicarios constituisse ; ab his officiales subordinatos nominatos, et saluberrima decreta stabilita esse ; emanasse à sede apostolicâ multa responsa, multa brevia apostolica, ad gravissimas quæstiones et difficultates decidendas, ad conten-

tiones sedandas, ad dependentiam et ordinem statuendum, et quidem cum eo fructu, ut nihil ejusmodi ab episcopo sperari possit ; episcopum siquidem in Angliâ semper ferè latitare debere, habitu sæculari vestitum ; non posse pro dignitate officii publicè comparere, non adesse ubi necessitas urget, non præbere accessum consulentibus aut indigentibus, ne patronos domorum in quibus degit miseræ persecutioni exponat ; si lateat, neminem juvare, si publicus sit, omnibus periculo esse ; si nihil decernat, frustra esse, si aliquid statuat, id evulgari non posse ; si in delinquentes censuram vibret, incassum esse, quia exactioris potestatis efficacitate caret, si verò reconditam contineat, scandalo simul et contemptui esse ; non esse jam ampliùs ecclesiæ primitivæ tempora, quando christiani amore magis virtutis quàm timore ducebantur ; quid facere possit tribunal ecclesiasticum in Angliâ testari abundè tot episcopos, qui, per multos annos post introductam ab Elizabethâ reginâ hæresim, superstites fuerunt, nullam tamen jurisdictionem in foro externo exercuerunt ; testari breve Clementis octavi, sub 5 Octobris, 1602, editum, in quo severè interdixit archipresbytero Angliæ ne statuta conderet, aut ullam jurisdictionem in laicos exerceret ; testari vel vicinam Hiberniam, quæ, tametsi episcopos et ordinarios habeat, majores tamen abusus et scandala quàm Anglia patitur ; nimirùm, episcoporum auctoritatem, sine carcerum, vinculorum, et infamiæ metu, apud plerosque vilescere : præterea, judicia agitari non posse, sine certo loco et tempore comparendi, sine citationibus partium, sine testibus, sine notariis, quæ omnia extremam ruinam catholicis parerent ; testamenta, divortia, dotes, aliasque matrimoniales causas, excessus, et abusus, regni legibus et pseudo-episcoporum tribunalibus subjecta esse, nec ad alium forum revocari posse, sine summâ omnium hæreticorum offensione ; legata ad causas pias nec solere nec posse in testamentis explicari, ne deprehensa fisco adjudicentur, et extremum hæredibus defuncti periculum creent, ideoque sacratissimas hâc in re rationes à catholicis iniri, quæ ad forum potiùs conscientiæ quàm episcopi spectant ; nec fidendum esse præsenti tranquillitati, quæ citò in gravem tempestatem mutari possit ; matrimonium Hispanicum rem esse valdè incertam, nec satis sciri an rex Hispaniæ id seriò intendat, nec demùm in eo, tametsi fiat, spem aliquam firmam collocari posse ; regem Jacobum jam solitum esse, ob fines suos, adblandiri pontifici et sedi apostolicæ ; scripsisse illum sub initium regni literas humanissimas ad cardinales Aldobrandinum et Bellarminum, destinasse etiam Romam agentem, repentè tamen mutatum, concitasse in catholicos et fidem persecutiones, et in pontificem libros edidisse ; legatos Hispaniæ et Galliæ regum suorum causam, non ecclesiæ Anglicanæ,

agere, adeòque ipsis, tanquam suos fines spectantibus, haud nimiùm tribuendum esse; catholicorum quidem vota magni fieri debere, sed eos jam sæpè deprehensos fuisse ab episcopis habendis alienos, nec quicquam de novo adferri quod mutationem sententiæ probet; timendum potiùs ne invitis et repugnantibus, cum ingente damno et periculo, episcopus imponatur; non jam timeri catholicorum motus, et, quamvis timerentur, parùm ad eos comprimendos juvare posse; agitatam fuisse Hiberniam, quamvis tot episcopos habeat, per plures annos, gravissimis bellis contra Elizabetham reginam; Clementem octavum, a Garnetto jesuitarum superiore certiorem factum de inquietis quibusdam catholicorum animis, sub initium regni Jacobi regis, scripsisse ad Anglos breve monitorium, in quo ipsos ad obedientiam et patientiam hortatus est[1], nec tamen impedire potuisse ne pauci quidam conjurationem pulverariam inirent, tantis silentii vinculis sub juramento firmatam, ut, præter conjuratos, nemo illam extra confessionis sacrum resciverit; deterrendos non fore episcopi interventu qui aut ita secretò conspirationes ineunt, aut summi pontificis auctoritate haud moventur; verendum potiùs esse ne hæretici episcopum tanquam conjuratorum caput intueantur; optabile quidem esse ut controversiæ inter regulares et sacerdotes in Angliâ extinguantur, sed id sperandum non esse ab episcopo, qui, ratione dignitatis et officii, plures occasiones prætexere poterit ad lites indies excitandas, idque magis metuendum esse in sacerdotibus Anglis, quorum plurimi arctissimam necessitudinem habent cum Sorbonistis, et prælatis Galliæ, quorum principiis penitùs imbuuntur; quòd si episcopus fines suæ potestatis excedat, et, eâ de causâ, à sede apostolicâ corripiatur, timendum esse ne totam Galliam in auxilium advocet, sicut tempore Clementis octavi fecerunt ii sacerdotes qui contra archipresbyterum insurrexerunt; nec leve etiam periculum ecclesiæ Anglicanæ imminere, si episcopus impio juramento fidelitatis faveat, vel aliâ in re à fidei puritate discedat; non esse hunc timorem vanum testari posse luctuosum Blackwelli archipresbyteri casum, qui juramentum illud defendit, testari tot alios ex clero qui eidem faverunt, de quibus in brevi ad Birkhedum archipresbyterum, anno 1608, mentio fit, testari tredecim sacerdotes ex eodem clero præcipuos qui protestationi contra auctoritatem papæ, anno 1602, in favorem reginæ Elizabethæ subscripserunt; quòd si episcopus hâc in re delinquat, non posse

[1] [The reader of the preceding volume of the present history need scarcely be told that this statement, like some others which accompany it, is untrue (See, in particular, pp. 63, 64, note). The real document, alluded to by Mellini or his reporter, was doubtless the breve issued by Clement in July, 1600, and intended to unite the catholics in opposing the succession of a protestant to the English throne. Ibid. 60, note, and Append. cvi.—*T.*]

deponi sine summo periculo ne tota ferè Gallia commoveatur, si verò subditos catholicos malè vexet, si sententias injustas ferat, si excommunicationem iniquè fulminet, nullum superesse illis remedium, nullum appellationibus locum, cum, præter ingentes sumptus, præter locorum distantiam, capitale sit quemquam ad papam recurrere, adeòque episcopum in Angliâ sine metu omnia pro libito et arbitratu agere posse : quòd si clerus, qui jam episcopos postulat, de ecclesiâ optimè meritus sit, ob viros doctos, ob martyres, ob labores pro fide susceptos, considerandum esse doctissimos semper ex clero viros, Alanum, scilicet, Sanderum, Bristoum, aliosque, et fortissimos martyres et confessores, ab episcopis petendis remotissimos fuisse, eosque, qui hodiè illos exposcunt, ex eorum præcipuè numero esse qui olim, episcopi Cassanensis partibus dediti, ausi sunt, circa annum 1587, formam quandam regiminis instar episcoporum in Angliâ constituere, quam *associationem* appellabant[1]: quare hanc rem de episcopis creandis gravissimam esse, quam uti valdè implexam, et plurimis difficultatibus et periculis expositam, improbarunt etiam ex clero præstantissimi viri, plures pontifices et sacræ inquisitionis congregatio sæpiùs rejecerunt ; ideòque vel negandum, vel in opportunius tempus differendum esse.

*** *John Bennet to Bishop, July* 31, 1622.

[Original in my possession.]

Sir,

* * You will understand by other letters that, about the midst of June, I had a decree before our father for a bishop. If I would have been importunate, I could have got more, as I verily think. If I understand any thing, rest assured you have your desire : that remaineth will follow of itself. Know, I speak upon ground. The nomination is yet in deliberation, and many wonder at the delay : yea, it may be, our opposites will not fail to build their hopes hereupon ; but I know the reason of it, which they are ignorant of. It is no harm or prejudice to us. We must expect some fortnight ere it can be done : for, being the first bishop, and much opposition being made, they will take advice, and some time, that they be freer from censure. It is the humour of this place : but the delay is all the harm in this point. I know there wanteth not labouring for the nomination : but that shall not hurt us, do all they can. They have shewed infinite venom and malice against divers ; but [it] hath been turned into their own bosom,

[1] [If the reader will turn to the third volume of this history (p. 45, note 1), he will find an account of the fraternity here alluded to, and will at once see the grossness of the misrepresentation contained in the present passage. Mellini, probably, like too many others, borrowed his information on these subjects from he unscrupulous invectives of Persons.—*T.*]

as fully as any they ever spewed; which I know they find and feel. My great friends tell me,—"What need you such haste? You cannot travel before the heats decline: then give us way to take our leisure"[1]. * * About the midst of September, at farthest, I hope to have all despatched, and in my way, &c. July the last.

Yours,

Jo. Eaton (*Bennet*).

No. XXXVIII.—(*Referred to at page* 90.)

*** *Bishop to Bennet, October* 3, 1622.

[Original in my possession.]

Very worthy Sir,

I held my hands the last week, hoping that you would have despatched, and have been ready to come down with Monsieur d'Aire, who, I fear, will not stay long there, now he hath obtained Monsieur Luçon's[2] red cap; for that he is wholly his. The clergy do fear now, lest Mr. Gage will prove a cold prophet, who told us, as I advertised you, howsoever you were fair promised, yet that the bishop should not be chosen and despatched, till all the covenants about the match were thoroughly agreed upon. Yet it may be otherwise, and that they stay only to hear what their nuncios will report, which, assure yourself, will be in our favour, — this nuncio for us here; he in Flanders for Dr. Kellison. Ere this, I hope you have received the commendations, which divers here, of the greatest credit (considering the absence of the nuncio, and the death of the cardinal of Retz, bishop of Paris), did very willingly give us, and that in very ample manner; which being joined to the two cardinals that have been here nuncio, and Bentivoglio, seven years before in Flanders (who, beside, doth exceedingly affect Dr. Kellison), and the archbishop of Armagh, and bishop of Aire, will serve abundantly: and I think that Monsieur Bertin will, if need be, be very forward for me, more much than I am worthy. Besides, one of the chiefest of our faculties, the theological of our Lady's, and now also, during the vacation of the bishop, one of the vicars general, tells

[1] [In another letter, written in the following month, he thus speaks on the same subject,—"Some of our opposites seem to conceive hope that our suit of bishops goeth not on to our liking, for that the nomination is deferred. They know not the cause of that delay: it importeth no harm or danger, besides delay, —haply, more good than they dream of. It hath troubled me, I confess; not that I fear any thing but his holiness's health, which, at this time, God be thanked, is very good:—but, for that they are resolved to expect answer of some letters which cannot be long, I am enforced to expect a little longer." To Bishop, Aug. 15, 1622. Original in my possession.—*T.*]

[2] [Amand de Richelieu, bishop of Luçon, who was created cardinal on the fifth of the preceding month.—*T.*]

me that he, hearing of the matter, hath written very affectionately in my behalf to the cardinal of St. Susanna, who esteemeth him much. All this I tell you for your satisfaction; protesting that I do not, in any case, desire that most weighty burden to light on my shoulders, but that the court may not rest misinformed of our simple qualities.

Father Archangelo resalutes you very heartily, and is of opinion (with whom I agree) that it is best that you come down, as soon as you have gotten your despatch for one bishop, that you, we, and they of Douay, may confer together about the proceeding of our bishop for his officers, and of all his affairs; and afterward you may, if you please, return, if we cannot find a fit man to send in your place; which I fear verily we shall not do.

Mr. Gage, as some suspect, hath put it into the lord keeper's head (at least he seems so conceited), that, if we have bishops, it will be to put them out of their places: but our bishops shall pretend no more to their bishoprics, than our priests do to their benefices, or religious men to their religious houses: and no question but, when he shall be well informed of our manner of proceeding, he and his majesty both will rest better content to have a bishop among us, than to let the priests and catholics to be swayed by the jesuits, whom they take for busy-bodies and enemies to their persons and state. And you may promise, if need be, that, when one bishop is here consecrated, he shall not enter into England, till the Spanish ambassador hath made his way to the said lord keeper, yea, and to his majesty also. Catholics be daily better and better used in England; and Sir Edward Coke being out of the tower for threatening, as it were, the king that we (*he?*) would report him of shewing too much favour to catholics, was by his majesty sent back to the tower, there to lodge till he had learned more wit. * * Thus, with my very hearty salutations, I rest

Yours, always assured,

The third of October, 1622. W. BISHOP.

*** *Bennet to Bishop, October* 4, 1622.

[Original in my possession.]

Dear and respected Sir,

Yours of the twenty-seventh of July, and one of my camarado's[1] of the same, and another of his of the third of August, came all together to my hands. It much perplexeth me to understand that Mr. President is fallen back into his ague. I shall not be at peace of

[1] [Farrar.—*T.*]

mind, before I hear of his recovery, which I hope will be by the next. * * *

The delay of nomination yet holdeth me; whereof being weary, I repaired to his holiness, and complained bitterly, and so to the cardinals. Some answer his holiness made, at first, as if the danger were not great for a small time; to which I replied that we spent no day or week in this delay, without loss of souls: whereupon I insisted very earnestly; so as his holiness promised I should forthwith be despatched. My memorial was no less earnest than my words; which, by commandment from our father, was, the next congregation, before himself, within two days, read, and a resolution made, as they confess, that I should have speedy satisfaction: but the particulars I cannot yet learn; they are so secret: but I will know very shortly. So as it is unpossible this matter can last much longer than it hath done. This contenteth me, in lieu of my expectance, that I am made assured my despatch shall be to my liking, which they know cannot be, but in case they give us a superior of our own choice. In this they here look very far before them, lest we should seem to challenge hereafter the right to choose our own bishops: and the niceness of this point, if I do not greatly mistake, maketh them seem to take advice from their own, rather than be tied to our proposition; howbeit at last they will give us content, though following therein not what we may seem to challenge, but what they find to be fit. These are my conjectures, and not altogether ungrounded. Howsoever, having all this time expected, I must not now grow out of patience for a few days more or less, until their answer so long expected arrive.

Our adversaries perceiving us at some stand, and not indeed knowing the true cause, feign a hundred chimeras in their own brains, nothing at all to the matter, and then publish their own fictions for truth; as, for example, that they here expect the event of the dispensation, before any thing be in this determined. But they know little of the estate of either: for our suit dependeth not at all of the marriage; and, I assure you, we had our grant, when here they were doubtful whether the marriage would hold or no. But there were no end, if I should pursue all their fooleries. * * And so I rest ever

October 4. Yours assured,

Jo. Bennet.

No. XXXIX.—(*Referred to at page* 93.)

*** *Edward Bennet to his brother, John Bennet, Aug.* 31, 1622.

[Original in my possession.]

Sir,

We receive great content of your industrious negotiation in

the matter of bishops, and the happy success thereof. Nevertheless, our adversaries, who have not been able to prevail against you there, have not omitted to stir up coals here, and, as is very probably thought, have stirred up the king and state to oppose in the business. The lord keeper[1] hath been lately with the Spanish ambassador, complaining, as from the king, that the pope went about to set up bishops in his kingdom against his will, which, in former ages, was not wont to be done but by the prince's nomination; and withal signified that he understood they should be created with titles of Canterbury, Lincoln, &c.; which must need cause great exasperation in the state, and would by no means be suffered. The ambassador answered, he had not been informed concerning the state of this business, and therefore could, for the present, give him no full answer: only, this, he said, he had heard, that the clergy pretended bishops, but not with any such titles as he spoke of, but only with episcopal authority, to minister the sacrament of confirmation, and perform other things pertaining to such a function. Nevertheless, he promised to inform himself better concerning the whole matter, and afterwards give the king and his lordship a fuller answer. Upon this, the ambassador hath writ to the Spanish ambassador there with you, to know in what terms the matter stands.

Some of ours, who live about this town, have been too negligent, in not preoccupying the ambassador with the substance of our designs, and staying his hand from intermeddling, to the prejudice of our affairs, in a business already determined by the see apostolic: but, nevertheless, we hope all will go well; for, although he be much addicted to the jesuits, as he himself confesseth, yet he seemeth a noble and honest minded man, and hath promised to favour us in all meet pretensions, and withal to inform our king and his ministers what we pretend; to see if we can gain the state by fair means, which if we cannot, we shall have his helping hand, to further our design however; which is all we do desire. This we have from his own mouth, this morning; Mr. Broughton (who is now very forward for bishops), Mr. Hervey[2], Mr. Barker, and myself, having been with him, to treat about the business.

The news of the Spanish ambassador interposing himself in this affair, after such a manner, troubled us all; but the greatest fear is past, and we have not spared to speak plainly, and signify unto him expressly, that the jesuits are the only men that oppose us; and therefore have desired him he give no ear unto them in our matters, to our

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[1] [Williams, bishop of Lincoln.—*T.*]
[2] [The assumed name of Heynes.—*T.*]

prejudice ; which he hath promised he will not, without our knowledge. And so we departed from him, with great contentment and satisfaction. Afterwards, I went to the Dutch ambassador (acquainting him with what the lord keeper had delivered to the ambassador, and desiring him, in occasions, to signify to the king and his ministers that we pretend no more, but what the Spanish ambassador hath already signified to the lord keeper, that is, to have a bishop or bishops, with some foreign title, who may exercise amongst us the function of episcopal authority), who hath promised all favour. We are upon present departure ; and so, in haste, I end. London, this 31 of August, 1622. Yours,

Eaton *(Edward Bennet).*

The following, as well as the signature, is in his own hand-writing;—

I use another hand, because I am so busy. It is two o'clock, and am to go twenty-seven miles this night. All this morning, I was with these ambassadors, and, hope, done us some good.

*** *Heads of Memorial against the appointment of Bishops*, 1622.

[Gradwell MS. 295, and Bennet's Copy in my possession.]

Del Risentimento del Rè d' Inghilterra, intorno alla concessione di fare Vescovi Inglesi.

Il Rè della Gran Bretagna è stato informato, come di cosa certa e fresca, da qualche ministro suo in Italia, che il papa s'è lasciato indurre a fare qualche vescovo cattolico Inglese, che habbia giurisdizione nel suo regno. Il rè ne ha havuto sentimento particolare, e si sa da persone di gran qualità e degnissime di fede, ed ancora di tutte due le religioni, che egli ha fatto protesti gravissimi di voler perseguitar tal vescovo in sino alla morte, in qualunque luogo lo trovi ; dicendo di più che li papisti si mostrano esser gente stravagante, ed insatiabile ; i quali, non contenti di andar megliorando nelle cose loro a passi moderati, si vogliano far padroni in quatro giorni : che gli sarebbe impossibile à lui seguitare à favorirgli, come egli haveva cominciato, e che bisognarebbe per forza rimettersi alla strada antica di rigore : che li puritani hanno avuto ragione, in dirli tante volte, che, in concedere un punto ai papisti, ne vorrebbono dieci, e che, in capo di due anni, non sarebbe più rè d' Inghilterra : che si vergognerebbe guardar gli uomini in viso, vedendosi cosi maltrattato da chi egli cominciava voler del bene, e convinto dai puritani, da chi s'andava allontanando un giorno più che l'altro : che, a questo modo, si accreditarebbe il detto loro, che lo calunniavano di papista ; cosa che non stava bene a lui permettere in nessun conto : che permettere un vescovo papista Inglese sarebbe un confessar, che li suoi vescovi sono falsi : che, in

tempo della religione Romana, quando il papa dominava in questo regno, v'erano grandissime dispute tra i rè ed i papa, a chi tocasse nominare vescovi ; e che vergogna sarebbe dunque à un rè protestante permettere che il papa gli facesse un aggravio cosi fatto ? In somma, si maravigliava che tal cosa si facesse adesso in Roma, e che si facesse si poco conto dell' onor di lui, e del commodo dei suoi vassalli papisti, i quali egli sarebbe obligato a perseguitar di nuovo, non potendo far di meno di non risentirsi assai d'un affronto cosi publico e intempestivo, como è questo.

Dall' altro canto, la maggior parte e la più sana e sincera dei cattolici laici Inglesi si maraviglia come possi essere uscita tal rissoluzione in Roma, senza essergli domandato il suo parere ; perchè à loro toccarà mantenere il vescovo, godere il bene dalla giurisdizione di tal vescovo, e sottoporsi alla persecuzione, che potrebbe nascere con simile occasione ; per non parlar dei pericoli, che potrebbono intervenire all' autorità della santa sede, ed alle anime dei detti cattolici, se un tal vescovo diventasse come un arciprete Blackwell, o il padre Prestono, benedittino, i quali erano pure nominati ambedue per vescovi ne' tempi passati.

Non si dubita da' cattolici, che sua santità non vadi pensando, come vero padre e pastore, al bene e salute di queste sue pecorelle Inglese ; ma pure per essere il paese cosi discolo, ed il senso dei cattolici Inglesi laici non ancora ben inteso (e che forse anche, non sò che ambizioncelle possi essere subentrata nell' animo di qualcheduno di coloro, che hanno ordito questa tela), e principalmente per che si vede, anzi, che si và tocando colla mano che questo sarà ò causa ò cagione di qualche grave persecuzione, conforme alli protesti del rè, egli è un preco commune dei cattolici Inglesi li più sensati che sua santità si serve di andar dilatando l' esecuzione di tal pensiero, al men fin tanto che il matrimonio con Ispagna sia ò conchiuso, ò rotto, ò finche la mente dei cattolici laici Inglesi sia intesa ; quelli, voglio dire, che sono stati più stabili nelle persecuzioni passate, e quelli che hanno più da perdere, e però si trovano più abili a sostentar gli altri. Che se si viene à dimandare il voto di questi tali, e che ciò si faccia senza ignoranza ò altro inganno, io voglio metter la vita, che di sei parti dei cattolici laici Inglesi, le cinque non vorrebbono vescovo cattolico Inglese in questa congiuntura di cose ; quando il rè con solo trattare il matrimonio di Spagna, abbia fatto levare tutti li sbirri, che solevano incarcerare ed affliggere le persone dei cattolici, e tutte l' informazioni che si solevano fare, e le commissioni che si solevano dare da certi tribunali per confiscazione dei beni loro ; quando ancora ha proibito, sotto gravissime pene, che nessuno predicante protestante ardisca dire in pulpito

una parola aspra contro un cattolico; ed ultimamente quando i sacerdoti vanno liberissimi per le strade di Londra, e tutti li prigioni cattolici laici sono liberati per tutto il regno. Questo egli ha fatto per noi, e si spera molto più da lui, ma non già con offendere ed inasprirlo, e con imporli un vescovo cattolico à contrattempo, comè s'intende qui.

*** *John Bennet to his Brother, Edward Bennet, Oct.* 10, 1622.

[Original in my possession.]

Sir,

I have yours of the fourth of August, which came in very good time. My lord keeper's letter I put in Latin, and gave it to these great men, which they were well pleased with[1]. Our adversaries would fain have made the matter doubtful; for they would not that this court should conceive well of his majesty: but it availeth not, for their humour we here know. Even now it is told me that they speak of the same news having been here public, these fourteen days.

For our suit of bishops, they leave nothing untried, to hinder it; and, having been foiled here (for we have a decree before his holiness for it), they fly to his majesty of England for help, and here give out that his majesty is offended with the motion; and all, to delay. We have done what here could be done, maugre the adversaries' wildfires, and obtained our request. You must help there, that from thence we be not hindered. They oppose themselves to his majesty's designs, what they can, and yet will make him by art serve their turn. There is no means to assure his majesty against their sleights, but to bring in bishops, whom his holiness will charge so to govern his people, that it be without offence to his majesty: and if bishops had governed heretofore, his majesty had not been troubled with such plots as have been discovered, to the hazard of his majesty, and ignominy of catholic religion. * * Forget not to draw reasons to satisfy his majesty, 1°. we seek but one bishop; 2°. titular *in partibus infidelium,* not in England, so as there will be no cause of emulation with them at home; 3°. his jurisdiction will not be larger than that of the archpriest; 4°. it will be limited and known; 5°. it will serve to keep our opposites in order; 6°. it will oblige the superior to account of his own and his subjects' actions, and consequently reserve his majesty and estate from all trouble that way. Yea, this very point is that our opposites fear, and would be at liberty; and the best is, make his majesty an instrument

[1] [A letter addressed to the judges of the several circuits, ordering them, in the king's name, to release all catholics imprisoned for their religion. It was dated Aug. 12, 1622, and will be found in a subsequent part of this appendix.—*T.*]

to further their designs against himself. Make means that his majesty may understand these things, that these sleights do not prevail. But particularly his majesty must be informed that, if he should be against ordinary jurisdiction, without which catholic religion cannot stand, they here presently will take heed thereof; and bring his holiness into jealousy, that his majesty meaneth not well towards catholics, and that all is but a shew; and so make him doubtful to proceed in the matter of dispensation;—specially, his majesty suffering so many bishops in Ireland, and that without inconvenience. I pray that you will not neglect these things. I was yesterday at Frescati, to speak to his holiness; but being to come away this day, which I knew not before, he was so busy that there was no audience. Tomorrow I am promised to speed, when I will not omit to say what I shall find needful in this business. * *

You shall do well to press the ambassador, to know whether he thinketh that his majesty is so averted from bishops, that, rather than he will admit them, in the form above mentioned, he will break peace, marriage, and all. * * If you can draw from him but that confession, or from the rest, or any of them, I pray send it to me authentically, or in a letter to his holiness, or cardinal Bandini. I inculcate these things again and again, that you may, with some care, see them done: else shall we hazard all our labour and charge, by means of more sleights and juggling; for I know our opposites inform very falsely many things, that they might incense his majesty, and inform here how much he misliked our motion,—as they have done, with much amplification, which yet, I assure you, hath not much credit, though it maketh a demur; which here is soon done.

For our nomination we are sufficiently provided; so as I hope we shall find therein no great difficulty, albeit opposition therein I doubt: yea, our opposites hoped to make so strong, that, by these means, they hoped to hinder all; but therein they find their art fail. We here prevented them; so as, if the king of England help not, they are cast away. * * In that information to his majesty, insist that our bishop is titular only, with title in some part of Greece or Asia, whereby there will be no prejudice to the king's nomination to the bishoprics of England, nor to any right of the incumbents, since ours hath nothing to do with any bishopric within the kingdom, but shall only have power to administer sacraments, as occasion shall require. This I put you in mind; for I know it mainly importeth, for the king's satisfaction, and is truth itself in this matter. And so in haste I rest

Yours,

October 10. EATON (*John Bennet*).

*** *The same to the same. Octob.* 24, 1622.

[Original in my possession.]

* * They have written from hence to the Spanish ambassador, the French ambassador, and others, to know how true it is that his majesty is so incensed, as the jesuits here report. You must needs travail herein; for I know our opposites have gotten letters from the Spanish ambassador for delay. See what you can do to get a better testimony; and by all means find out by what means the information was given to his majesty: for it was doubtless very malicious and false, and so here it is conceived. Our business may be delayed by this art, but hindered it cannot be. Had you there drawn reasons to satisfy his majesty, as it was agreed at my departure, this starting-hole had been stopt. I suppose ere these come, you will, upon my former letters, have done the diligence I now desire by these. What here was to be done is effected: if you will there do nothing, marvel not if business suffer difficulties. * * My due respect to all good friends; and so I end.

*** *Heynes's Memorandum of an Interview with the Lord Keeper. Nov.* 25, 1622.

[Original in my possession.]

Nov. 25, 1622.

With warrant from superiors and a letter from the Spanish ambassador, I went to the lord keeper, and, after acknowledgment of former acquaintance, I made known unto him my business, the substance whereof was set down in a letter I had from Mr. Bennet at Rome, which I did read unto him. He seemed well pleased at it, and did not, by his discourse, shew any dislike of our having a bishop. He told me that his majesty was offended with those bishops in Ireland; for that they had set up a consistory, and wiped the people there of their money. The protestant bishops having first fleeced them, the others went closer. I answered that it was not money which the secular clergy aimed at, but government, good discipline, and order amongst them, which could not be without a bishop. He said he would deal effectually with his majesty, and desired a copy of the said letter[1]. This was the 25 November, 1622.

Jo. Heynes.

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[1] [The letter or paper here alluded to was in Latin, and entitled "*Consilium Cleri Anglicani in petendo Episcopo.*" It contained a recital of the points suggested in Bennet's letter to his brother, of October the tenth, with no addition beyond the following sentences:—

*** *Carondelet, Archdeacon of Cambray, to Cardinal Mellini.*
Dec. 27, 1622.

[MS. in my possession.]

Illustrissime Domine,

Postquam literis ex urbe missis intellexerunt archipresbyter et assistentes, decretum sanctissimi, de mittendo in Britanniam episcopo, in suspenso esse, nec mandari executioni donec constaret nùm serenissimus Magnæ Britanniæ rex id ægerrimè ferret, initum est consilium de voluntate ejus explorandâ. Visum est autem illustrissimo legato regis catholici expedire maximè quod suggerebat archipresbyter, nimirùm ut negotium hoc ageretur cum episcopo Lincolniensi, cancellario, seu sigilli magni custode, cùm quòd dignitate et authoritate primus sit à rege, tùm etiam quòd soliti sumus res catholicorum et religionis apud illum felicitèr agere.

Ipsis ergo calendis Decembris[1], missus est ad illum ab archipresbytero sacerdos, unus ex assistentibus, literis illustrissimi legati Hispaniarum munitus, vir singulari ingenuitate et gratiâ, inter quem et cancellarium jampridem Cantabrigiæ, in ludo academico, magna fuerat familiaritas et necessitudo. Post refricatam memoriam non ingrati olim sodalitii aliaque, sacerdos ille causam sui adventûs exposuit. Ostendit literas patris Joannis Bennetti, quibus scribebat archipresbytero decretum sanctissimi, de episcopo titulari in Britanniam delegando, in suspenso remanere, ob sparsum rumorem de irâ regis ex hoc decreto

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"Accedit quòd in observationibus, ab agente cleri Anglicani illustrissimis sancti officii cardinalibus scripto exhibitis, supplicatur ne quisquam inquieti ingenii, vel serenissimo regi suo invisi, aut de seditione suspecti, clero præficiatur; sed qui anteactæ modestiæ ea documenta exhibuerit, quibus officio in suum principem non defuturum spondeat, et quos sibi subjectos ad idem sanctè observandum, non hortaturum solùm, sed, ubi res postulaverit, coacturum.

"Episcopali igitur dignitati illi soli insidiantur, quorum mores ejus ferulam, et inquieta ingenia coercionem aversantur; quod vel inde haud obscurè colligitur, quòd palàm profiteri dicantur, se messem Anglicanam illicò deserturos, potiùs quàm talem passuros prælaturam.

"Nec hoc loco prætereundum, singulari astu serenissimo regi indicatum, episcoporum nescio quam multitudinem, se inscio et inconsulto, ad regni sui titulos occupandos, à suâ sanctitate designari, ut hinc majestatem suam in optimum pontificem, ejusque commodis intentissimum, homines malè feriati commoverent: pontifici verò retulerunt, regem, ad ipsam episcoporum mentionem, mirum in modum excanduisse, ut hinc sanctitati suæ regis animum, in catholicos benevolentissimum, subdolâ narratione redderent suspectum: eoque haud obscurè nitebantur ut utrumque, his artibus deceptum, inter se committerent, et ad ea quæ isti cogitaverunt consilia stabilienda vel invitos vel imprudentes adigerent." —Original in my possession.—*T.*]

[1] [There is a mistake in this date. From Heynes's own memorandum, made at the time, we know that the interview took place on the twenty-fifth of November.—*T.*]

suscitato : quocirca cupere clerum hunc scire nùm, in petendo sibi superiore, læderetur majestas regia ; quod quidem sibi persuadere non poterant, cùm illis nihil aliud propositum sit in suâ petitione ad summum pontificem, quàm eum pastorem habere, sub quo omnes catholici Cæsari redderent quæ sunt Cæsaris, orarentque unanimes Deum pro rege et principe, ut sub illis tranquillam vitam agerent. Legit literas Bennetti cancellarius, et retinuit eas, se regi missurum et commendaturum pollicitus ; responsum, si quod haberet à rege, legato, vel saltem archidiacono, daturus.

Post octiduum, quo nimirùm temporis spatio putabamus regem (utpote semper aliàs in expediendis negotiis acceleratissimum, et in prodendis motibus animi iracundi præcipitem) voluntatem suam significasse, mandato illustrissimi Hispaniarum oratoris, cancellarium adii, exploraturus quid responsi à rege haberet. Respondit se hactenùs nihil habere. Petii nùm illi displiceret petitio cleri, et decretum sanctissimi ? Minimè verò inquit, quod autem rex sentiat hactenùs nescire : potuisse tutò et citra periculum mitti episcopum ejusmodi titularem in Angliam, si clanculùm et sine strepitu missus fuisset, quomodo archipresbyter et sacerdotes hanc insulam ingressi sunt : jam verò ita rem evulgatam esse, ut non modò non permittatur regi negativè et indifferenter se habere, quinimò etiam rogatur à nobis sententiam suam dicere et sensa animi exprimere : tantum verò esse audaciam puritanorum, ut, illorum metu, ne quidem liberatus fuerit carcere ullus sacerdos, alitèr quàm sententiâ carceris in exilium mutatâ ;—quanto minùs audebit serenissimus rex assentiri huic novitati ?—Non, inquam, speramus episcopo assensurum regem, nec ordines Angliæ, quorum edicto parlamentario, seu comitiorum hujus regni, sacerdotes omnes, eo solo nomine, læsæ majestatis damnati sunt. Non eò spei venimus : sed petimus hoc tantùm, ut serenissimus rex putet petitionem cleri et sanctissimi decretum tolerari posse hâc tempestate rerum, sciatque ab illis nec datam nec daturam iri eam occasionem commoti bilis, quam illustrissima dominatio tua testata est illustrissimo oratori Hispano, cum hâc de re apud illum conquestus es. At ille, hoc, inquit, sperari potest, ac postremum quidem certum est : unicum enim hoc regem exagitavit, quòd nobis delatum esset, mittendos hùc esse archiepiscopos et episcopos, titulares hujus regni, et ordinarios, qui eorundem episcopatuum titulos nobiscum divisos haberent. Non eramus ferendo.—Cum autem non ita sit, redeamus, inquam, et examinemus nùm, missione unius episcopi titularis ex Græciâ, aliquid detrimenti hoc regnum patiatur.—Si Græcus sit, inquit subridens, illum non intelligemus.—Imò verò : ille enim erit, qui de omnibus sibi commissis (quatenùs

vestrâ interest) rationem reddat ipsi regi et illustrissimæ dominationi tuæ exactiorem multò, quàm hi puritani, quorum singuli, spiritu proprio ducti, nullum agnoscunt regimen, reges et episcopos exosi.—Verendum est fortè, inquit, ne suspecta sit hæc rei novitas.—Nulla, inquam, innovatio, sive hoc regnum spectes, sive alios quàm catholicos: inter hos autem quid innovetur cedo, regni hujus quid interest? Nihil profectò. Mihi enim semper persuasum fuit, et est modò, questionem hanc, nùm catholicos Anglos expediat regi ab episcopo aut archipresbytero, non agitari inter statum hujus regni et catholicos, sed inter ipsos duntaxat catholicos, quorum alii quidem episcopum postulant, alii effugiunt atque renuunt. Lis hæc inter illos et in illis terminatur. Puto autem maximè iis favendum esse, qui sibi regimen et disciplinam petunt: et hoc est quod à serenissimo rege et illustrissimâ dominatione tuâ expectamus et speramus.—At verò, inquit, non est quòd magis his quàm illis faveamus. Legi in scripturis quòd Ephraim solitus esset pugnare contra Manassen, et Manasses contra Ephraim, et Ephraim et Manasses conveniebant in unum, ut expugnarent Judam.—Pulchrè, inquam, et facetè; sed an Judæ interest quid inter Ephraim et Manassen agatur, quamdiù contra Judam nihil moliuntur? Omnis igitur quæstio hinc pendet, nùm, ex mutatione archipresbyteri in ejusmodi episcopum, aliquid damni immineret huic regno.—At ille, imò verò, hoc patietur quòd speretis per disciplinam inter catholicos stabilitam, fidemque sacramento confirmationis, ut putant, corroboratam, magis constantes fore, ut religioni nostræ et legibus nostris resistent: item quòd putetis pontificiam potestatem altiores radices habituram hoc principio. Propter has autem ipsas rationes, propter quas cupitis, nos pertimescimus.—Certè, inquam, si equulei, cruces, carceres, opprobria, fortunarumque omnium jactura, quibus sæculo integro sævitum est, non potuerunt efficere quin quovis tempore plus quàm decem millia, palàm signati, nomen Agni in frontibus suis non flexerint ante leges vestras, quas Deo contrarias putaverunt, non magis hoc robur sperandum est posteris temporibus, licèt sine pastore. Digitus Dei est hìc. Appositè hùc pertinet illud Gamelielis,—"Si opus Dei," &c. Quidni autem id conceditis catholicis, quos in confesso est primævam patrum nostrorum religionem et fidem, uti possiderunt, possidere, quod nos protestantibus et puritanis concedimus, qui tamen novi recentesqu venerunt, quos non coluerunt patres nostri? Novit illustrissima dominatio tua quòd in Palatinatu et aliquot civitatibus ditionis Juliacensis &c., ubi non jure hereditario, nec subditorum consensu et obedientiâ, rerum potimur, sed armis victores et triumphatores, quibus ex jure gentium quod libet licet, nihil immutaverimus in re religionis, sed

templa, pastores, et omne regimen in suo statu conservaverimus.—Sed, inquit, nùm permissuri essetis, si illic religionem suam augerent et magis stabilirent? Episcopi autem authoritatem majorem esse archipresbyteri, nemo est qui eat inficias. Tùm ego; major certè in catholicos, nullatenùs autem in cæteros; hoc autem non interesse statûs haud repeto; nam, cum supra probatum sit, reverteremur eodem.—At ille, videtur, inquit, interesse statûs ex hoc, quòd archipresbyter possit revocari, privari facultatibus, authoritate, discedere regno: episcopus verò, cum habeat characterem impressum, habet etiam impressum et irrevocabilem authoritatem, canonibus confirmatam. Respondi, nec executionem authoritatis imprimi cum charactere, nec hùc mittendum ordinarium episcopum, sed delegatum et revocabilem.—Post hæc et alia, fassus est sibi abundè satisfactum esse, nec videre se rationem obsistendi nostro instituto. Sed quid, inquam, si regi et regno expedire probavero ut hìc sit episcopus? Hoc autem me brevi facturum puto, ni tædeat tam diuturni sermonis. Minimè, inquit: audio dicentem.—Si civiliter et politicè loquamur, abstrahendo à religione, quam uterque nostrûm sibi puram vindicat, putas expedire in eodem regno eandem esse religionem, unum baptisma, unam ecclesiam, unum altare.—Certe, inquit.—Quòd autem hoc assequi non possitis, tot olympiadum studio et labore comprobatum est, ut jure meritò desperetis posse eradicari religionem catholicam; neque hoc ultrà tentatis. Hoc igitur posito, nimirùm vassallos hujus regni differre religione, an non expedit reipublicæ ut, in quâ quisque est, in illâ vivat? Res hæc seipsum probat, et comprobatur ex usu illarum regionum et civitatum, ubi diversa sunt dogmata religionis. Quòd autem Deus episcopos posuerit regere ecclesiam, et sacrarum scripturarum testimonio constat, et canonibus sacris, et tali usu ecclesiæ catholicæ, ut nec Maximini, nec Dioclesiani, nec Juliani, aut alia ejusmodi monstra impedire potuerint, quin ejusmodi regimen in ecclesiâ Dei fuerit perpetuum; quod martyrologium Romanum et alia abundè comprobant: sperare clerum hunc, non futurum se pejoris conditionis sub clementissimo Jacobo, quocum jam agitur de matrimonio cum rege catholico inter proles contrahendo, et à sede apostolicâ confirmando. Proposui exemplum episcoporum in Hiberniâ et Hollandiâ: dixi favore esse dignos catholicos, qui tam candidè et simpliciter res suas illis aperiunt, tanquam precariò spirantes aerem Britannicum, aliaque multa. Post quæ respondit mihi, misisse se dicens literas Bennetti ad serenissimum regem, quæ ipsi visæ fuerunt tam ingenuæ, prudentes, et modestæ, ut seipsas abundè commendarent: scripturum se nihilominùs iterùm regi et marchioni Buckingham, et commendaturum negotium meis rationibus, sperareque

regem silentio saltem dissimulaturum, perindèque illi fore, sitne episcopus an archipresbyter.

Dixi, hactenùs, quasi animi gratiâ, problematicè nos agitasse hanc questionem; jam verò petere ut apertè diceret suammet sententiam. Respondit disertis verbis, videri sibi omninò nihil interesse regis vel statûs sive archipresbyter, sive episcopus, præsit catholicis: expedire autem catholicis episcopum, imò fortè ipso regno. Iterùm petii idem, et idem ipse repetiit, addens hæc ipsissima verba,—" non improbo, sed approbo." Addidit ne solicitus essem de responso regis; se enim illud mihi significaturum, quamprimùm accepisset: hoc autem futurum sine morâ, nisi fortè sua majestas rem hanc non curaret; quo quidem in casu, nihil ab eo responsi expectandum.

Ex supradicto sermone visum est mihi, nec regem, nec cancellarium negotium hoc magni facere; illisque pari loco esse archipresbyterum et episcopum. Item existimavi regem silentio nobis assensurum; nullatenùs autem expedire illius responsum importunè efflagitare, cum perspicuum sit, eum ne quidem sacerdotes posse apertè permittere, vigentibus edictis hujus regni, ut modò sunt, nedùm episcopum assensu suo in Angliam recipere.

Diuturno verò post tempore, 26°. nimirùm Decembris, tantæ moræ pertesi, cum hactenùs nihil responsi daretur, putavimus denuò adeundum esse cancellarium; quod quidem, ex mandato illustrissimi legati regis catholici, iterùm feci, cum hâc cautelâ, ne responsum regis apertè urgerem, sed omnem ei occasionem darem illud, si quod haberet, mihi significandi. Cancellarium adii: de multis rebus ego illum, ille me, percontatus, frequentem illi occasionem subministravi aliquid dicendi de episcopi missione, sed perperàm; nihil enim, ne verbum quidem, hâc de re locutus est: multa verò alia enarravi et explicui, quæ modò adjungerem, ni brevitas temporis alium veredarium præstolari cogeret: quod quidem insequente septimanâ me facturum spero. Interest enim ecclesiæ ut ejusmodi, ex quibus fructus aliquis emergere potest, illustrissimæ D. T. significentur.

Illustrissimæ D. T. ex supradictis constat, nil hìc esse periculi, si mandetur executioni decretum sanctissimi, de mittendo hùc episcopo: quod quidem singulari Dei providentiâ factum existimo. Quis enim sperare ausus fuisset ejusmodi conniventiam à rege hoc, cujus sententiam exquiri omnes hìc lugebant et mirabantur.

Superest ut illustrissima D. T. præmoneatur, ut festinet hoc negotium, ne, si fortè differatur, nunquam aliàs tam opportuna occasio detur providendi huic regno; quod quàm sit necessarium pœnitet audire, et tæderet eloqui. Hùc diriguntur omnium fermè bonorum vota et preces

ad Deum. Spiritus Sanctus cœpit hoc opus; ipse perficiet. Sanctissimus Dominus noster decernat ea quæ expedient afflictissimæ huic ecclesiæ Anglicanæ. Ille illustrissimam D. T. gubernet et regat, huicque regno sospitem conservet. Londini, 27 Decembris, 1622.

Colonna, the Spanish Ambassador, to Cardinal Mellini. June, 1624.

[Copy formerly in St. Gregory's Seminary, in Paris.]

I have received your lordship's letter of the twenty-fifth of May, with particular content for the favour you do me, in giving me occasion to hold in due esteem his holiness's care of so noble a part of that sacred college, and the zeal and more than fatherly love with which they desire reformation and good example, in the houses of ambassadors of catholic princes: in proof whereof, as far as it concerns me, it seemeth to me I can do no less than make a general confession unto your lordship, and excuse myself of my faults, after an exact examen of my conscience; taking God to witness that, the very day the king, my master, resolved to charge my weak shoulders with the burden of this office, which I bear now twenty-seven months, I resolved to forget the liberties of a soldier, and attend, with special care and affection, to the fulfilling of my obligations, and the first article of my instructions, whereby his catholic majesty, as a prince who, in imitation of his royal progenitors, foundeth the greatness of his monarchy upon the groundwork of virtue and religion, commandeth us all, his ambassadors, to proceed in such sort, that the example of our persons be such to our families, that, in every respect, those we have to do with may take it, and to confirm with our works and practice the truth of our words, and the holy end unto which our actions ought to be directed. If in this I have obtained part of my desire, I give God thanks, from whom all good proceedeth, and from whom I hope for a reward; and, if not, I shall justly hope for pardon, having always placed my aim, in the desire to hit right, as your lordship may see by this little relation, concerning the diligence I used at my coming, and have still been careful to use, for that end.

I brought with me from Flanders the archdeacon of Cambray, Don Francisco de Carondelet, a noble personage and of known virtue, and Mr. William Low, an Englishman's son, though born and brought up in Flanders, a good virtuous man, and well practised in the English tongue. Here I found three persons, who are, father friar Simon Stoke, a discalceate carmelite, one of the greatest and most approved subjects of his religion (*i. e. order*), whom I chose for my confessor; Mr. John Hidalgo, a fellow of the seminary of Seville, by nation an

Englishman, though generally taken for a Spaniard, a man irreprehensible; Mr. Musket, a secular priest and a holy man, and one of those that have converted most, and laboured most of any, that have or do labour in this vineyard. With these five workmen, we have endeavoured to encrease, in this house, the glory and reputation of the catholic religion, with the renown due to the greatness of the subject: which relation I leave to others, seeing there have not been wanting some, who have undertaken to make known to your lordship how little, for gaining this holy end, we have stuck at human considerations, or valued expenses, even with the certain danger of our lives.

The first ten months of my embassage, all went on prosperously, or, to say better, all that time I spent in resolving myself, that it was convenient, for the good of this English church, that the bishop of Chalcedon should come in, whom his holiness of good memory, our holy pope Gregory XV., thought good to send; not without doing me the grace and favour to will, it should be communicated to me by means of your lordship, and my lord cardinal Bandini. From that time, those who are never weary, and never will be weary, of impugning that holy and necessary work, for reasons which they could never convince me with (although, in regard to their great learning and known example, it may be they are of a higher pitch, than can be reached unto by the shortness of my understanding)—from that time, I say, it seeming unto them that the person, who had drawn me into this persuasion, could be no other than the archdeacon of Cambray, without conforming themselves upon the good effects caused by the coming in of the said bishop, and the little noise or stir moved in the king or heretics, they, by strange means, not to say scandalous, unfit to be practised by christians, have not, nor do not, cease to calumniate him, at least in the three courts of Rome, Madrid, and Brussels. For, ever since the prince of Wales was in Spain, they endeavoured, by means of Don Toby Matthews and others of his opinion, to stir up the condé of Olivarez against him; charging him with faults, which the condé himself, coming to examine, found to be notoriously false and pure calumniations[1]. The same, though not with the same success,

[1] [It was probably on one of these "calumniations", that a story, told by Hacket, and adopted by later writers, was founded. To account for the manner in which the intrigue against Buckingham, in 1624, was dicovered, Hacket tells us that the bishop of Lincoln, who was intimate with Carondelet, and who had "discovered him to be a wanton", was in communication also with the mistress with whom Carondelet was connected; that from her, in the first instance, he received intelligence of her lover's acquaintance with the intrigue; that, with a view to ascertain its particulars without exciting the suspicion of

they have attempted in Brussels, to the end to draw hence the said archdeacon, and make themselves masters of my will, as they are wont to do of all those, who treat with them with overmuch familiarity. It may well be, they have done the like in that holy court; whereupon may have proceeded that loving letter, which your lordship hath written unto me. If your lordship, with your great wisdom, will make this torrent to run through that aqueduct, be pleased to hold it for apocryphal (for I say it, after having used what human diligence I could to find out the truth), and consider how well these holy religious men do comply with the precept of fraternal correction; seeing that, before speaking a word to me, as had been meet, or *corrigere fratrem suum inter se et ipsum solum* (to correct their brother betwixt them and him alone), *dicunt ecclesiæ*, they tell the church, and not what church soever, but the mother and head of all the churches of the world, which is Rome.

Your lordship will be pleased to pardon my long letter, and assure yourself that, as I have procured to clear this business in the quality of an ambassador, so, in the quality of a soldier and a gentleman, I deliver plainness and truth to your lordship, whose health God preserve. London, June, 1624.

No. XL.—(*Referred to at page* 93.)

*** *Rant's Memorial to Urban VIII. praying that Dr. Bishop may be relieved from the care of the Scottish church. May* 30, 1624[1].

[Original draught in my possession.]

Beatissime Pater,

Cleri Anglicani agens in urbe humiliter sanctitati vestræ ex-

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the Spaniard, he caused a priest, the intimate friend of the latter, to be arrested; and that, when Carondelet came, as he had anticipated, to intercede for the prisoner, he availed himself of the opportunity, to extract the whole secret from his visitor, and immediately transmitted it, in a written paper, to the duke (Hacket, 197—199). Fortunately, the paper is still preserved; and, instead of confirming the story of the arrest, and the other incidents here mentioned, plainly intimates that Carondelet himself sought the interview, for the express purpose of acquainting Williams with the project, and, if possible, of persuading him to support it. The last division of the paper is thus entitled by the bishop himself,—"The end, as was conceived, of Don Francisco's desiring this conference":—and that *end* was, to shew that, if Williams "would join to set upon Buckingham with the king, there was a fit occasion." Cabala, 301.—*T.*]

[1] [In the address to Innocent the tenth, which I have elsewhere noticed, it is said that, as soon as the appointment of Bishop to the joint superintendence of the English and Scottish catholics was known, the Scots remonstrated, and Gregory, to silence their reclamations, ordered the new prelate to abstain from exercising any jurisdiction within the kingdom of Scotland:—"Appena fù publicata in Roma l'elezione del vescovo Calcedonese, con autorità sopra i cattolici di Scozia, che la nazione Scozzese ebbe ricorso a Gregorio, e, narrando

ponit quòd episcopus Chalcedonensis, regnorum Angliæ et Scotiæ ordinarius, cum, ob vastos et latè patentes Magnæ Britanniæ terminos, difficulter universas insulæ partes solus reget, nec nisi magno temporis et aliquot annorum intervallo eas visitando obire possit, provinciarum verò singularum necessitas suum pastorem, aut præsentem, aut non longè absentem, requirat, obnixè ideò supplicat, ut sanctitas vestra dignetur illis insulæ partibus episcopum concedere, eumque ex Scotiâ oriundum, qui catholicum suæ gentis populum præsens, nullâque alterius gregis curâ impeditus, diligentiùs pascere, et clero ibi crescenti acceptiùs præesse possit.

Exhibit. 30 *Maii*, 1624.

*** *Chambers's Memorial to Urban VIII. praying that Dr. Bishop's authority in Scotland may cease, and that a native archpriest may be appointed.* 1624.

[Rant's Copy in my possession.]

Beatissime Pater,

Cum, anno superiore, Anglus quidam, Chalcedonensis ecclesiæ titulo inauguratus fuerit, cum ordinariâ potestate in universam Angliam et Scotiam, Scoti unâ mente Dei gloriam, ecclesiæ pacem, ipsiusque negotii gravitatem, altiùs perpendentes (quantum scilicet mali in præsens, ac dissidii in futurum, inde oriri possit), ad sanctitatis vestræ pedes, tanquam ad sacram anchoram, humiliter prostrati, ut malum hoc ad salutem convertatur demissè rogant, his et similibus commoti argumentis :—

1°. Tanta est adeòque inveterata inter Scotos et Anglos animorum aversio, ut nullum hactenùs fuerit, nec jam ab ipso urgente rege induci possit, commercium, seu unio, in politiâ civili, et multò minùs in ecclesiasticâ.

2°. Unde Alexander tertius, quadringentis quinquaginta plus minus abhinc annis, ut eos, de jurisdictione ecclesiasticâ inter se disceptantes, semotâ saltem illâ inveteratæ simultatis occasione, pacaret, decrevit ne alter in alterum ullam unquam imposterùm jurisdictionem exerceret.

3°. Hæc potestas ordinaria vel est necessaria in Scotiâ, vel non. Si necessaria, expectabant eo casu Scoti, eam alicui saltem ex ipsâ natione conferri debuisse, cum inter ipsos non desint viri doctrinâ, prudentiâ,

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l'odio inveterato fra quelle due nazioni, * * ed adducendo molte altre ragioni, per le quali appareva non dovere, o non potere, il Calcedonese essercitare la sua giurisdizione in quel regno, *ottenne subito l'ordine del pontefice, ch' egli s'astenesse dalle superiorità de' cattolici di Scozia*" (Gradwell MS. 71, 72).—It is clear from the present memorial, even without other evidence, that the latter part of this statement had no foundation in truth.—*T.*]

et vitæ probitate, tanto muneri satis apti : si verò necessaria non sit, jure ergo sentiunt se non meruisse cur externæ et æmulæ gentis jugo, ipsis prorsùs insciis, subjicerentur.

4°. Angli nullam prorsùs habent, nec habere possunt, de rebus Scoticis notitiam ; unde nec huic muneri possunt esse apti.

5°. Hæc potestas, Anglo concessa, magnum affert prejudicium sacerdotibus sæcularibus sibi subditis in Scotiâ, apud suos pœnitentes, cum non possint absolvere à casibus episcopo reservatis, sicut alii religiosi ibidem degentes ; et propterea laici adeò indignantur ex hâc promotione, ut vix admittant eos quos sciant ab episcopo Anglo dependere.

6°. Plus difficultatis, laboris, impendii, ac periculi, est Scotis tractare, vel, urgente necessitate aliquâ, currere ad episcopum aut ejus vicarium in Angliâ, quàm ad nuncium episcopum in Angliâ[1], vel ad ipsam sedem apostolicam, qui firmiorem (*pleniorem ?*) insuper habent, et omni modo habere possunt, notitiam de rebus Scoticis, quàm latentes illi et in itinere terrestri longè distantes Angli.

7. Sopiti quodammodò, inter gentes istas, ignes et vetera odia suscitari jam denuò incipiunt, ex hâc occasione ; ita ut verendum sit ne, sine justo remedio, in convitia et injurias paulatim prorumpant.

8°. At, inquiunt, necessarius est aliquis, qui in Scotiâ sacramenta ordinis et confirmationis possit administrare ; et, cum materia adhuc non sit satis ampla, ut aliquis constituatur episcopus pro solâ Scotiâ, expedit interim ut in his prædictis Anglo subjiciantur.

Sed respondendum hìc, præter argumenta jam suprà, non scilicet hoc tempore expedire ullos extra seminaria aut sua monasteria ad ordines admitti, idque, ne, indocti, vagabundi, rudes, et inexperti, ut assolet, ad sacerdotium admissi (*sic*), Dei gloria, ad multorum perniciem, imminuatur, sicut experientia, non sine magno damno et scandalo, in vicinis regnis quotidiè docet. Quod autem ad sacramentum confirmationis attinet, expedit quidem, si commodè haberi possit ; sed sicut hucùsque illius gratiâ caruere, non est quòd, pro uno beneficio, tot damna manifesta in præsens sustineant ; cum etiam, in hujusmodi difficultatibus, Deus suppleat quæ desunt sine culpâ nostrâ.—Nec præterea dominus episcopus aliquando in Scotiam est iturus ; nec, si proficisci vellet, ab indigenis catholicis facilè admitteretur.

Ut igitur præsenti et indiès succrescenti huic malo tempestivum adhibeatur remedium, humiliter rogant Scoti ut, authoritate apostolicâ, episcopi illius Angli in eos potestas cesset, et interim, donec omnia, divino beneficio, ad meliorem statum reducantur, constituatur ex ipsâ

[1] [It is so in the MS. ; but is plainly a mistake for " nuncium *apostolicum in Franciâ*."—*T.*]

natione archipresbyter aliquis ; cum in promptu sit vir doctus, prudens, ac vitæ probitate conspicuus, qui, omnium testimonio, huic muneri aptus judicabitur. Quo beneficio inter alia affecti, Scoti non cessabunt orare Deum pro sanctitate vestrâ, quam Deus, &c.

No. XLI.—(*Referred to at page* 101.)

Peter Biddulph, alias Fitton, to John Bennet, July 3, 1623.

[Attested Copy in my possession.]

Worthy Sir,

As soon as you had departed from Rome, that small peace and quietness, which we enjoyed whilst you were here, began to depart from us : for, within three days after, the fathers gave forth amongst us, that one was to be expelled the college the next day. But it fell out otherwise ; and, [it] seems that it was nothing but a rumour spread by the fathers, to try how all were affected, if the visit should come. But not obtaining that which they aimed at, a month after, they took a more efficacious means ; and, upon a small occasion, locked up a priest in a chamber close prisoner ; forbidding any to speak to him, and threatening to expel him the college, for speaking certain words to father Coffin, in the behalf of them that do not approve the jesuits' dealings[1]. The priest appealed to his holiness ; whereupon, father rector denied that ever he meant to turn him out of the college ; but gave

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[1] [The priest, here alluded to, was Thomas Longville, one of the vice-prefects of the house : the cause of his disgrace or punishment is thus described in the " Narratio Causæ", a MS. which I have frequently cited in the present volume :—" Sciendum est solitos esse patres alumnos in suam societatem variis modis allicere, imprimisque conferendo in eos, quos sibi illaqueare cupiunt, privilegia, iisque plura impunè permittendo ; quas partialitates nemo audet superioribus indicare, nisi velit seditiosus haberi. Hinc, cum P. Longavilla, sacerdos sæcularis, apud patrem confessorem, tunc ministri officium gerentem, querelam de simili re, quæ in hoc genere contigerat, ex officio suo vice-præfecturæ conquereretur, injuriosè à patre ministro acceptus, liberè in cleri sæcularis defensionem respondit. Post biduum, à patre rectore vocatus, et in carcerem, cum expulsionis denunciatione, conjectus est" (cap. 7, p. 81).—From another MS. we learn that the occasion of Longville's complaint to Coffin was a custom, which had become prevalent among the favourites of the fathers, of remaining awake in the dormitories, after the community had retired to rest, and spending a great portion of the night in conversation :—" Societati deditis licet impunè sæpissimè, usque ad multam noctem, in cubiculo confabulari, aliorum somnium impediendo. Sic P. Warnerus, &c. &c. : sic etiam pater Claytonus, Georgius Mannerius, et Joannes Campianus, aliique in cubiculo sancti Gregorii ; de quibus cum pater Longavilla conqueretur, nil nisi mala verba à superioribus retulit : imò, pater Warnerus, alterius cubiculi præfectus, inter hos ad multam noctem, teste patre Stapletono, vice-præfecto, delitescere aliquando comprehensus est." Narratio de Corruptâ Collegii Anglicani de Urbe Administratione, cap. 5, p. 28, 29.—*T.*]

him another penance, that he might appeal with it unto the pope. This thing bred such tumults in the house, and the visit of our college came so slowly, that we had great reason to suspect and fear, lest that the jesuits should expel them, who were best able to inform the visitor. Therefore, we thought good to go ourselves, and desire the hastening of the visit; and, that the fathers might not know who were against them, three were assigned to go to the pope, amongst the which I was one: which thing, when we asked license of father rector, made him much admire. Yet, after some hours' consideration, he granted us leave to go to his holiness, upon Corpus Christi eve. But we, having not audience, gave up our memorial, which presently was sent by the pope to the visitor, with charge to begin the visit with us the next day.

This thing did so incense the jesuits and all others against us three, and especially against me, whom they thought to be father rector's and the jesuits' particular friend, that some of them do condemn me to the bottom of all condemnations; calling us seditious, turbulent, factious: and the convictors, especially, do shew such passion against us, that some of them said, it was the devil's spirit that was amongst us, being more seditious than the very huguenots. But we take all patiently, not seeking their favour in this, but God's honour and glory. Father rector's opinion of me is, that I cannot do this out of any other end, but merely out of spite: and thus I doubt not but he will inform my friends in England. Wherefore, I desire you to prevent father rector's letters, and procure that my father and friends be informed how all the matter stands, if you chance to meet with any priest that is acquainted with him, or if you yourself have occasion to pass that way,—I mean to Biddulph, or Biddle-Hall, in Staffordshire. The reason, why I desire this, is not so much for my own behalf; for I care not what opinion men conceive of me, as long as, in this, I do only satisfy the obligation I owe to the clergy, and the comfort of my own conscience: but I desire it for the comfort of my friends, whom I would not have seduced by father John Worthington, or any other partial judge in this matter.—But to return to the proceedings of this business:—

The jesuits, knowing of none, but of us three, that stood against them, counselled the prefects of the chambers to make a bill in the scholars' names, wherein they condemned us that went to the pope, as seditious, and desired to have a remedy; thinking to exclude us the college before the visit, and withal meaning, with this bill, to see how many they had against them. The bill was offered to every one, but

us three ; insomuch that they procured a distracted madman to subscribe his name unto it[1]. All the novices subscribed for fear ; and so did the *physici*, excepting two. Of six *metaphysici* three did write, and the fourth, who only of all our company left us, was forced to it by fear. The *theologi*, which are in all fifteen, with us three, did all deny to subscribe, excepting five, all priests. The casuists are three ; of whom two subscribed. One of them was father Dormer, your great friend, whose head, for lack of a better, was chiefly employed in this business ; he being the only post, that was to carry the bill from one person to another. This bill was offered up, with twenty-two names[2], to the visitor, who carried it to the pope ; and the contents of it seemed to desire to have all things appeased, without the visit : which did something offend his holiness ; insomuch, that he told the visitor, *if he were not so old, and weak, he would visit our college himself ;* and, withal, caused him to begin the visit the twenty-third of June, as he did. By reason of this bill, all those are known (contrary to his holiness's intention) who mean to complain of the jesuits ; and so our college is turned a prison to us, and we all condemned by the jesuits to be expelled, if they remain in it. They say that either you shall make place for us at Douay, or we make room, to receive yours here at Rome. Yet I think they would pardon us, upon condition, we would not complain of them. The visitor told cardinal Ludovisio, that his holiness did purpose to visit our college *cum flagello* ; and so I believe it will prove, if it go on, as it hath begun. We have reduced all our complaints to six heads, and mean to give their probations in writing. The first is, of the insufficiency and penury of priests that go out of our college, and the number and sufficiency of jesuits : the second is, of the political means, whereby they entice the scholars to be jesuits : the third is, of the seditious means, whereby they exasperate the scholars' minds against our English clergy : the fourth is, of the discord they continually do nourish in our college : the fifth toucheth certain abuses in the rules of our college : the sixth is concerning the debts. When I have more leisure, I will send you the whole discourse of our complaints. The chief thing we do insist upon is, how the fathers do exasperate all, that they can, against our chief priests in England :

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[1] [Edward Richardson. Narratio Causæ, p. 12, and Rant's Diary, original MS. in my possession. Rant gives the names also of five others, who, within the preceding five years, had been deprived of their reason, by the treatment (so it was believed) to which they had been subjected in the college. Ibid.—*T.*]

[2] [The real number was twenty-eight, of whom eight were priests and divines, ten students in philosophy, and ten novices, or, as they would be termed in an English university, freshmen. Narratio Causæ, ut sup. p. 12.—*T.*]

which, I think, the jesuits will grant they do, and defend it to be well done; and, as much as we perceive, will turn all this matter to the controversy betwixt them and our clergy. Wherefore, it is very necessary, you should send one to Rome, who doth well understand that business; for the jesuits will set it now altogether on foot, thinking there is nobody to withstand them in this court. And to this purpose, they scrape up letters from divers persons, written in their behalf, and against the clergy. Here father rector doth shew every man a certain letter of yours, which you writ from Rome, concerning the jesuitesses, and condemns it exceedingly, saying, it proceedeth merely from the malice you bear towards the jesuits. But, to come to that which chiefly we do desire, [it] is, that you would send the clergy's agent hither, as soon as you can: for we doubt not, but, if he come before this matter be ended, to free all jesuits from this college[1]. We think it will scarcely be ended till November; the visitor coming but once a week to our college. Therefore we, the greatest part of the divines in our college, desire you, in the name of all the *clerici* in our college, that you would speak to our superior in England, to concur in helping us, and freeing us from the jesuits' molestations: to which purpose we would have written unto him, but that we thought his agent would be on his journey, before our letters arrive into England. Thomas Ferrers, or otherwise Thomas Harper, desireth you to request his uncle, Mr. John Harper, a benedictine, that he would inform his mother and friends, how the matter goeth with us; lest that jesuits should make some great complaint against him. And I desire you to do the same to my friends. Thus, leaving you to the protection of Almighty God, I cease. The third of July, 1623.

Your humble friend,

Peter Fitton, or

Peter Biddulph.

If you write back to us, you may direct your letters to Dr. Seton.

Concordat cum originali. Ita testor

G. Farrarus, *Notar. Apost.*

No. XLII.—(*Referred to at page* 109).

*** *Bishop to Rant, December* 29, 1623.

[Original in my possession.]

Reverend Father,

Since I writ last to you, which was within this fortnight, I re-

[1] [See page 110, note, ante.—*T.*]

ceived a letter from five of the scholars, that were put out of the college at the solicitation of their ill-affected rulers. It was no difficult matter for superiors, so well befriended, to oppress poor young men, destitute of help and acquaintance. I like of their stay at Rome till the spring, and hope that we shall procure them some relief, one way or other. Both I and the principal men of our clergy did write both to his holiness, and to our most affectionate friend, the cardinal Bandini, to have defended those distrest scholars from such a trouble and disgrace, which we did see was like to fall upon them ; we having no agent there to assist them : but they were expelled before our letters and you came thither. We purpose, God willing, by the next opportunity, to write unto his holiness again, and unto the cardinals Bandini and de Sancta Susanna (if we hear not from you, in the mean season, that our former letters and your diligence have done them good), humbly to request his holiness that their case may be heard again, in the congregation de propagandâ fide, because their education there is to propagate the catholic Roman faith in our country, for the which many of their predecessors have valiantly shed their blood ; and that it may be maturely considered in the same congregation, whether it be not great pity that such forwardly and virtuous youths (all five students in divinity) should be turned out of the college, upon a spleen of their superiors. I hear they allege conspiracy with our former agent, of happy memory, against their government : but supplicate you humbly, in my name and the clergy's, that the said congregation may have the view of the college's first institution and rules, and then examine whether their superiors or they do most swerve from them. It must needs be a very great grief unto me and all our clergy, to have scholars thrust out of our colleges, because they desire to be good collegiate men, and to keep the institutes of the college. What a sin and shame is it, to permit that youths, bred to serve our clergy, shall be turned out of house and home, for shewing their dutiful affection to the said clergy, and, unless they will turn religious, shall be disgraced there, and sent away with little learning ! If this matter can be brought to indifferent hearing, I make no doubt but that it will pass with us, without collection of the many several wrongs, which the society hath done to our scholars, both there and in Spain, of which, if need so require, we will gather together the most exorbitant, and present them to his holiness.

I hear little news since my last. Our king caused the delivery of the proxy left in Spain to be delayed. The Spanish king took it very ill ; having made all preparations for it. What satisfaction is yielded

I hear not. Some near his majesty labour mightily[1] to dissuade the king and prince from it, and, as the rumour flieth, have more prevailed with the prince than with his majesty: yet there be very many that think it will be a match in the end; which God grant, if it be his blessed pleasure!

You must advertise me what cardinals be great with his holiness, that we may write to them and crave their favour. Direct your letters to Mr. William Parker: send them to Mr. Chamberlain, Monsieur le comte de Tilliers' chaplain, dwelling in his house, all within Monsieur le chevalier de Silery's packet to the French ambassador here. * * And so, with my kind salutations &c., I rest

Your loving friend,

WILLIAM, BISHOP OF CHALCEDON.

The 29th of our December, 1623.

**** *The same to the Five Scholars, Dec.* 29, 1623.

[Original in my possession.]

Dearly beloved Children,

I have yours, without date, expressing your dismission, together with a copy of the memorial you designed to his holiness; being very sorry to hear of your affliction, and ready to assist and comfort you, in what I can. The visit of the college happened at a very unseasonable time, we having no agent in the court, to direct and strengthen your undertakings; which maketh me think the matter was set upon so speedily, not upon any suit of yours, but rather upon your adversaries' solicitation, willing to take advantage of the time. Had my agent been there, to put in a foot in the name of the clergy, and made sufficient remonstrance to the visitors that the seminary is converted to a different end, from that for which it was instituted, it may be, things would have gone otherwise: but, seeing it hath pleased Almighty God to permit them as they be, you must arm yourselves with patience, and be sure I will not be wanting neither to the cause nor you, in what I may. * *

For your being styled of Mr. John Bennet's conspiracy, you need not be ashamed, but rather glory therein; he having had no other designs, but what he proposed to the mature consideration of the see apostolic, for setting up the hierarchical order of God's church, so many years wanting in our distressed country, and so necessary for replanting of catholic religion. * * Your friends here shall be truly

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[1] [Bishop first wrote "*the favourite* labours mightily" &c.—*T.*]

informed of the business, and dealt withal for your maintenance, as you require. My agent shall assist you, what he can, for your readmission into the college; or, if that cannot be, I will deal with Mr. Dr. Kellison for your admittance at Douay. So, rest till the spring, and be of good courage; remembering that divers, your predecessors, and some now glorious martyrs in heaven, have suffered like crosses and calamities as you do now. My blessing on you all. Repair unto my agent for counsel and direction, to whom I will write more at large.

London, 29 of December, 1623. Your loving friend,

WILLIAM, BISHOP OF CHALCEDON.

*** *The same to Rant, January* $\frac{5}{15}$ 1624.

[Original in my possession.]

Dear Father,

I did write unto you the last week, being in the country. * * With the letters to his holiness, you must have in readiness the reasons why we so earnestly desire to have the charge of visiting our college referred unto the congregation de fide propagandâ. The first is, because our college is instituted to train up priests, to propagate the faith in our country; of which propagation of faith seeing the congregation hath the special charge, it doth belong to it to have an oversight of the due government of the college. Our protectors should, indeed, look more narrowly to the due administration of the college: but, by experience, we have often found that they do seldom look into it, and are so passionately affected to the fathers (as men chosen by them), that the poor scholars can find no relief at their hands. Cardinal Farnesio is commonly absent; and cardinal Mellino openly opposed against our clergy about the college to be founded for us at Lisboa; and so did he secretly in the matter of bishops; to omit some other his disfavours to us. He, so concurring with the fathers, gave them such a visitor as they desired, who, to gratify the cardinal and the fathers, made no bones to dismiss the scholars. Our hard conceit of him, grounded upon divers good reasons which we shall be ready to shew if we be called thereunto, may stand for a good moral exception against him: for, if we of the clergy do hold him for a man averted from us, and from the right education of such as are to be of our body, that, methinks, should move his holiness to give us some other indifferent men for judges, against whom neither party could take any just exception. Mr. Bennet made a great difference between cardinal Farnesio and Mellino; for, when the cardinal Farnesio was well informed and fol-

lowed, he would do accordingly: but Mellino was always wholly for the jesuits, do what he could. * * *

The common bruit now flieth, that the match with Spain is broken, and that the lord Digby is sent for home. The duke of Buckingham is reported to haunt much the French ambassador, and he likewise Buckingham; whence riseth a suspicion that they will treat of a marriage with France. There will be a parliament holden about the fourteenth of February, as it is now commonly said: the king will send sir Edward Coke, sir Edwin Sandes, and sir R. Philips into Ireland, on an errand, to have them absent. Dr. Kellison is here, to procure help for their college. Thus with my very hearty commendations, I rest. The 15th of January with you, 1624. Yours,

WILLIAM CHALCEDON.

*** *The same to Pope Urban VIII. Jan.* 15, 1624.

[Rant's copy in my possession.]

Beatissime Pater,

* * Certiores facti de dimissione quinque alumnorum è collegio nostro Romano, vehementer doluimus, præcipuè verò quòd, non ob morum aliquam corruptelam, sed quòd seminarii institutum ardentiùs zelarent, dimissos esse intellexerimus. Hoc quidem non solùm ab ipsismet alumnis, sed aliorum literis ad aures nostras pervenit. Præterea, cum dimissi curiam vestram non excedant, sed humiliter (sicut ex copiâ memorialis ad vestram sanctitatem facti didici) petant, ut coram sacrâ aliquâ congregatione causa ipsorum juridicè ventiletur, fateor equidem quòd admodùm credibile mihi reddiderunt, se honestam causam sustinere, potiùsque quorundam authoritate oppressos, quàm justis de causis seminarii jure esse privatos. * * His ita se habentibus, obsecramus, beatissime pater, per viscera Christi, ut de quinque illis juvenibus dimissis, et de iis quæ ab ipsis proponentur, examen juridicè habeatur; et si constiterit eos dimissos, non ob contumaciam aliquam, sed ob christianam constantiam, quòd sortem cleri prodere non voluerint, et in partem jesuitarum secedere, sicut justitia exigit, loco suo restituantur: nec omittat, obsecramus, sanctitas vestra compescere injustitiam illorum, qui, administrationem seminarii in usum cleri suscipientes, omnia ferè, vel præcipua, in proprios usus convertere dicuntur. Illud insuper humilitèr rogamus, ut, quoniam seminarium supradictum pastoribus idoneis ad fidei catholicæ Romanæ propagationem creandis institutum est, ejusdem visitatio, quoties visum fuerit, sacræ cardinalium congregationi, quæ in eundem finem deputata est, committatur; qui, finem collegii ac regulas præ oculis habentes,

disciplinam ejusdem et reliquam administrationem dirigant ad eum scopum, quem fundatores sanctissimi et prudentissimi sibi proposuerunt : integrumque sit scholaribus, causâ urgente, apud eandem sacram congregationem de propagandâ fide querelas suas liberè deponere : præterea, ut in juramento collegii, quod alumni pro more emittunt, clausula expressa ponatur, se sub obedientiâ episcopi ordinarii Angliæ illud emittere, neque ullum ordinis religiosi institutum intendere, sed in ministerio cleri sæculari perseveraturos, nisi quid aliud imposterùm Deus inspirare dignetur ; quod si acciderit, intra duos ad summum menses prædictæ congregationi se manifestaturos, atque è collegio pacificè discessuros. Non sine causâ hæc petimus, quoniam diuturno experimento compertum est, ob horum defectum, seminarium illud penitùs inutile clero nostro evasisse. Pastorum summus pastor es ; undè proclive nobis est de eximiâ bonitate tuâ sperare quæ in pastorum profectum et incrementum suggerimus. Illud autem ægrè ferimus, et totus clerus noster, quòd prædicti quinque alumni, in opprobrium dilecti quondam fratris nostri, admodùm reverendi domini bonæ memoriæ Joannis Bennetti, complices illius appellentur ; cum ille, post viginti-quatuor annos in vineâ Anglicanâ excolendâ summâ cum laude exantlatos, unanimi fratrum nostrorum suffragio electus, ad sanctam sedem apostolicam profectus sit, ac nihil non ex communi nostro consilio ac voto peregerit : ut perindè sit domini Bennetti nomen ad opprobrium traducere, ac nobis omnibus ignominiæ notam inurere. Miramur sanè viros religiosos, christianæ disciplinæ perfectionem profitentes, usque adeò sui esse oblitos, ut non vereantur ministros Christi in contemptum apud plebem fidelem, cujus pastores sunt, adducere : verùm, quoniam ita fieri contigit, confidimus supremam vestram pastoralem solicitudinem evigilaturam ut temerarios insultus opportunè compescat. Iterùm igitur quàm humillimè et enixè petimus, ut de quinque illis juvenibus, qui, ex bonis familiis oriundi, magnos jam in bonis literis progressus fecerunt, instante agente nostro, cui rem commisimus, examen juridicè instituatur ; quoniam, sicut manifestæ culpæ reos tueri nolumus, ita, causâ incognitâ, eos deserere sine piaculo non possumus, cum ipsorum causa cum causâ nostrâ ac totius cleri nostri, atque adeò integræ nationis, conjuncta sit. Deus Opt. Max. sanctitatem vestram ecclesiæ suæ et nobis diutissimè servet incolumem. Datum Londini, 15 die Januarii, anno Domini 1624.

Sanctitatis vestræ

Devotissimus filius et humillimus servus,

GULIELMUS, *Episcopus Chalcedonensis,*
Ordinarius Angliæ et Scotiæ.

*** *The same to Rant, February* $\frac{6}{16}$ 1624.

[Original in my possession.]

Very reverend and dear Father,

* * I did of late write unto his holiness, humbly requesting that the visit of the college may proceed, which his predecessor, of happy memory, did, *motu proprio*, begin, and that it may pass by the same worthy persons of the congregation de propagandâ fide, whom he appointed, whom we hear to be most upright and judicious persons. That I sent twenty days past, by Douay: now the heads of our clergy do second mine, in one of their own, which cometh with these. If that visit be well followed, there will be found out many notable abuses. I pray you, assist the visitors in what you can. I will note some points that come to my mind.

I hear that, when they began their visit, in pope Gregory's days, father rector would not answer for (*concerning*) any thing, that was done before his rectorship, though he were then in town, and one of the rector's chief counsellors. But if no rector be to answer for that which was done before his reign, then may such a rector be put in, that may undo the college quickly, and be sent away, and another set in his place, who will answer for nothing before done: which if it may be allowed for good, no marvel though they spoil the college, and bring it into great debts. Have they not a college book, wherein all receipts and expenses be written? That must needs be forthcoming, though the rectors be changed. And, as we hear, their general, who should have care of their upright dealing, did put off the visitor, saying that he meddled not with the college, but left them to the superior of the English; who, notwithstanding, told me here in plain terms, that they had nothing to do with our colleges, but left them to the fathers of the country where the colleges were. And much more should father general stand bound for that college, to whom he gave this rector, that liveth near him.

The fathers say that the mission, that is, the English fathers, have a great stock in Rome. I desire that their book of receipts and accounts be cast up, and that it be diligently looked into, how they come by such store of goods in that city, who sent it up, or how it was made thither: for I do suspect that the former rectors have saved much out of the revenues of the college, and made a stock of that, for their pretended mission,—for what mission have they from thence, unless it be *to* (*of?*) our scholars to Liege?

Besides, they have always had ten or twelve pensioners, whose

parents do pay £20 a year for their sons' entertainment in the college: nevertheless, as I have heard Mr. Poole say, they were wont to cast them in the college's charges, and to take the £20 a year to themselves: which will appear evidently, if their book of yearly accounts, shewed to the protector, be searched into, and the pensioners found among the rest[1].

Item, whereas they might keep fifty or threescore scholars, they commonly keep but forty. This, by the way, to inform the visitors which, I trust, his holiness will grant us; for not I alone have earnestly requested them, but now also the chief of our clergy sue for the same; and so will the rulers of Douay, and, as I hope, the benedictines will second our suit: all whose request, being so just, and by his holiness's predecessor begun, I verily hope he will not deny.—Now to our occurrents.

I have made good correspondence with the benedictines, for which how they praise me you may see and shew, by a copy of their superior's letters, written to me[2]. I have also letters from the superior of the franciscans, and both dominicans, carmelites, and capuchins have congratulated my election, and tendered me their obedience and concurrence. The superior of the jesuits was also once with me, desiring that we might live like good friends together. I then told him that we were content to forget all former wrongs, but must hereafter take away all occasions of dissension. He held that for reason: whereupon I asked of him what he had to say against any of our body, which I might see reformed. He answered that he had nothing. I said to him that our clergy was much offended for the misgovernment of our colleges. He answered that he had nothing to do with those governments, but they were under the fathers of the society who lived in the same country; yet would he write to them to govern well: which took so small effect, that, shortly after, the scholars were thrust out of the college in Rome;—so that we are only to attend at their hands fair words, I fear me, but no more good deeds than we can wrest from them. If the visitors find them to be so faulty, as we take them to be, in our colleges, let your humble suit be unto his holiness, in my name

[1] [This corresponds with a passage in the Narratio de corruptâ Collegii Administratione, a MS to which I have already referred:—"Sunt hìc multi convictores, aliquando viginti, quorum pecunias præsentes in Flandriâ patres societatis Anglos ad libitum retinere, illarumque usu frui, suspicio est" (p. 10). However, it is right to bear in mind that of the correctness of these suspicions, however strongly confirmed by the circumstances of the college, no direct evidence has been discovered.—*T.*]

[2] See them in the preceding volume of this history, clxxv.—clxxvii.

and our clergy's, that they may be taken from them, and given to other governors, of our own body, who will made them the fruit expected (*sic*), as they do that of the college of Douay, which having not two thousand crowns of certain revenues, which comes out of his holiness's purse, do entertain above one hundred of students, and sends more priests into England, than the four which the jesuits govern. There are three in Spain, that do not yearly send three priests into England. They do so turmoil, chop, and change, the scholars in them, that they do, in manner, turn out as many as they breed; whereof the best commonly are also for themselves. It is more than high time to look unto them, unless we mean to give them all those colleges.

The state, as yet, hath taken no notice of my presence; but, God be thanked, hath permitted us to live peaceably. At this parliament, it is expected that we shall all of us be by proclamation commanded to depart the realm; but few of us will obey that ungodly commandment; yet we shall be put to live more closely, and I may perhaps be taken; but I hope, if God permit that, that he will assist me with his heavenly grace to behave myself no otherwise than becomes a constant priest and a grave bishop. I am very much made of, by some of the catholic lords (namely, those who are not wholly jesuited), among whom viscount Montague doth excel, and my lord, your honourable friend. The lady Dormer doth principally assist me, about whom I have made my most abode hitherto. If our blessed Saviour send us peaceable times, I hope to keep a lodging in London. * * *

We do request the French ambassador, that he will procure his king to write unto our king's majesty to protect us; because that of the Spanish is more hateful to the puritans. Some think that our prince is more than half bewitched by somebody, and mightily averted from the Spaniards: yet he doth always refer himself to his father, who doth often protest that the Spanish match shall go forward, and that all the devils in hell shall not break it. Yet many do doubt of his affection therein: this parliament will discover all. * * *

I pray you commend me very kindly to good Mr. Seton, and tell him that we all hold ourselves very much bound unto him, for his charity shewed unto those five expulsed scholars. Desire him to continue his affection to our clergy, and we will seek to recompense it, as opportunity shall serve. Thus, with my very hearty salutation to yourself, desiring you to remember me in the holy places, I rest,

The sixth of our February, Your loving friend,

the sixteenth of yours, 1624. William, *Bishop of Chalcedon.*

It will do very well, to obtain, if you can, his holiness's letters to the

king of France, that he may write to our king, to favour his catholic subjects, as our king hath written to him in favour of his calvinists.

*** *Rant's Memorial to Pope Urban VIII. March* 7, 1624.

[His own copy in my possession.]

Beatissime Pater,

Agens cleri Anglicani expressum mandatum per recentes literas reverendissimi episcopi Chalcedonensis habens, ut cum vestrâ sanctitate de negotio alumnorum è collegio Anglicano ejectorum, quorum quinque coguntur in urbe manere, vestibus, aliisque ad vitam necessariis destituti, instantissimè agat, causam hanc, non solùm ad personas dictorum alumnorum spectantem, sed ad totum clerum Anglicanum, in eorum expulsione gravitèr offensum, denuò exponit, atque humillimè totius cleri nomine supplicat, ut res tanti momenti et ponderis ab illustrissimis cardinalibus sanctæ congregationis de propagandâ fide maturè examinetur; ne, si causa indiscussa maneat, inimicitiæ et turbæ graves in Angliâ inde nascantur inter clerum et patres societatis, qui inauditum numerum ob levissimas causas, vel potiùs nullas, è collegio ejecerunt; quæ turbæ exortæ tàm facilè sopiri non poterint, et religionem ipsam catholicam hæreticis contemptibilem reddent: ne etiam imposterùm ansa præbeatur patribus quidlibet audendi in alumnos, qui, in cleri supplementum, juramento emisso, consecrati, ad partes patrum deficere nolunt: atque tandem ne, cum magnâ fidei propagandæ jacturâ, cleri corpus penitùs spolietur suis membris, quæ ex isto collegio sperari debent, ex quo rarò presbyter in Angliam mittitur, nisi is sit quem superiores, veluti minimè usui suo idoneum, respuerunt; ad Lovaniense autem patrum collegium, et Leodiensem novitiatum globatim hinc mittuntur ingenia lectissima, cum luculento nostro damno, et contra expressum collegii finem.

Præterea, cum à sacrâ congregatione de propagandâ fide illustrissimus cardinalis Mellinus rogatus fuerit ut alumnorum ejectorum famæ et existimationi curaret, nec tamen consultum sit, nec, sine ipsorum educatione et constanti ad clerum se aggregandi vocatione, consuli possit, rogat cleri agens, cleri nomine, ut, si pro alumnis pronunciatum fuerit, ipsi in collegium redire possint, aut, collegii expensis, in aliquâ universitate pro studiorum tempore alantur: interim verò, dum causa examinatur et judicatur, ut sumptus alendis alumnis necessarii a collegii superioribus ministrentur. Denique episcopus Chalcedonensis, totius sui cleri nomine, humillimè petit, ut liceat dicto agenti causæ examini interesse, et liberè informare.

Exhibitum 7°. die Martii, 1624.

*** *Decree of the Propaganda, March* 12, 1624.

[Rant's copy in my possession.]

Instante domino Thomâ, agente cleri Anglicani, ex episcopi Chalcedonensis, Angliæ et Scotiæ ordinarii, mandato, de quo in literis ipsius ad sanctissimum, die quintodecimo Januarii proximè præteriti Londini datis, sanctitas sua, justis de causis animum suum moventibus, illustrissimo domino cardinali Mellino mandavit, ut causam alumnorum Anglorum, è collegio Anglicano expulsorum, domino Cæsari Montio, congregationis de propagandâ fide auditori et judici substituto, committat cognoscendam, et in congregatione coram sanctitate suâ referendam.

Octavius Cardinalis Bandinus.
Franciscus Ingolus, *Secretarius.*

No. XLIII.—(*Referred to at page* 113.)

Decree of the Propaganda in behalf of the students, April 17, 1624.

[Narratio Causæ Alumnorum, p. 97. MS. in my possession.]

Referente domino Montio causam alumnorum è collegio Anglicano à reverendissimo domino Cæsio, prædicti collegii visitatore, ab illustrissimo cardinale Farnesio protectore deputato, et ab ejusdem collegii rectore ejectorum, sanctissimus, de consilio et assensu congregationis de propagandâ fide, decrevit, Thomam Dingleum, Wiltoniensem, unum ex dictis alumnis, restituendum esse in collegium; et illustrissimo cardinali Mellino, comprotectori, præcepit ut eundem Thomam per rectorem dicti collegii quamprimùm recipi curet, ita tamen ut non fugam è collegio fateri, prout ei præcipiebatur in pœnitentiâ, teneatur, sed sufficiat discessum è collegio sine licentiâ agnoscere. Quinque verò reliquos alumnos, scilicet, Joannem Fauknerum, alias Falconum, Wiltoniensem, Petrum Biddulphum, alias Fittonum, Staffordiensem, Antonium Shelleum, Sussexiensem, Franciscum Harrisium, Hamptoniensem, Antonium Parkinum, alias Hoskinum, Glocestriensem, cum viaticis competentibus, per rectorem collegii persolvendis, ad collegium Duacenum mittendos esse, ibique à præside recipiendos, donec sua studia perfecerint: Et ne collegium Duacenum nimis gravetur, præsidi illius præcipiendum esse, prout præsente decreto præcipit, ut quinque alumnos ex suo collegio ad collegium Anglicanum urbis mittat, in eo similiter recipiendos et retinendos ab ejus rectore, donec sua perfecerint studia. Præterea, jussit per eundem illustrissimum comprotectorem seriò admoneri rectorem collegii Anglicani urbis, ut in ejectione alumnorum cautiùs in futurum procedat, affectuque charitatis potiùs quærat alumnorum emendationem, quàm, cum publico studiorum detri-

mento, ejusmodi ejectiones procuret. Postremò, reverendissimo domino Montio mandavit ut cum eodem illustrissimo comprotectore de dimissoriis alumnorum Duacum transmittendorum agat; ut in iis, quantum fieri poterit, eorum famæ et honori consulat, ut parentibus, eis ob hujusmodi ejèctionem offensis, plenissimè satisfiat.

OCTAV. CARDINALIS BANDINUS.
FRANCISCUS INGOLUS, *Secretarius.*

*** *Decree of the Propaganda, forbidding students to enter Religion, without special license. April* 17, 1624.

[Narratio Causæ Alumnorum, p. 100. MS. in my possession.]

Clero Anglicano, operariorum ad propagandam fidem idoneorum penuriâ laboranti, consulere volens, sanctissimus in Christo pater et D. N. D. Urbanus, divinâ providentiâ papa octavus, de consilio et assensu venerabilium fratrum suorum S. R. E. cardinalium congregationis de propagandâ fide, decrevit, neminem ex alumnis collegii Anglicani de urbe deinceps, sine speciali sedis apostolicæ licentiâ, in aliquam religionem, societatem, aut congregationem regularem recipi, nec in earum aliquâ, sine prædictâ licentiâ, ad professionem admitti posse vel debere; alioquin receptio et professio nullæ sint, et qui receperit, aut ad professionem admiserit, activâ et passivâ voce præsentis decreti authoritate careat. Præterea, strictè præcipiendo mandavit, ut alumni collegii prædicti imposterùm, in ipso collegii ingressu, arctissimo adstringantur juramento, quo se, perfectis studiis, in Angliam, propagandæ fidei causâ, vel cardinalis protectoris collegii jussu, vel sanctæ congregationis de propagandâ fide, sine morâ profecturos polliceantur. Quòd si aliquem ex prædictis alumnis cum apostolicæ sedis licentiâ in religionem, vel societatem, aut congregationem regularem recipi, et in eâ ad professionem admitti, contigerit, eodem juramento ad eos illùc mittendos superiores religionis, vel societatis, seu congregationis regularis, qui eos receperint, et ad professionem admiserint, tàm receptionis quàm professionis tempore, devinciantur; alioquin vocis activæ et passivæ privationem, à nemine præterquam à Romano pontifice remittendam, incurrant. Ne autem præsentis decreti dispositio eludi aliquo modo possit, sanctitas sua, in virtute sanctæ obedientiæ, collegii prædicti pro tempore rectoribus præcipit, ut nomina, cognomina, et patrias Anglorum alumnorum, quos jam receperunt, et in futurum recipient, et quos è collegio deinceps dimittent, paulò ante eorum dimissionem secretariis congregationis de propagandâ fide pro tempore significare teneantur, non obstantibus privilegiis, &c.

OCTAVIUS CARDINALIS BANDINUS.
FRANCISCUS INGOLUS, *Secretarius.*

Form of Oath attached to the preceding Decree.

Ego N., filius N., plenam habens instituti hujus collegii notitiam, legibus et constitutionibus ipsius, quas juxta superiorum explicationem amplector, me spontè subjicio, easque pro posse observare promitto. Insuper spondeo et juro quòd, sine speciali sedis apostolicæ licentiâ, nullam religionem, societatem, aut congregationem regularem unquam ingrediar, neque in aliquâ earum professionem emittam.

Item spondeo et juro quòd, volente illustrissimo protectore aut sacrâ congregatione de propagandâ fide, statum ecclesiasticum amplectar, et ad omnes sacros et presbyteratûs ordines, cum superioribus visum fuerit, promovebor.

Item spondeo et juro quòd, jussu ejusdem cardinalis protectoris, vel prædictæ congregationis de propagandâ fide, statim in patriam meam revertar, et clèro sæculari in divinis administrandis opem feram; laboremque meum ac operam pro salute animarum impendam; quod etiam præstabo, si, cum prædictæ sedis licentiâ, religionem, societatem, aut congregationem ingressus fuero, et in earum aliquâ professionem emisero. Sic me Deus adjuvet, et hæc sancta Dei Evangelia.

Testimonial from the Propaganda, in favour of the Students, May 4, 1624.

[Original in my possession.]

Nos, Octavius cardinalis Bandinus, episcopus Prænestinus, fidem facimus, quòd Petrus Fittonus, Joannes Falconus, Antonius Shelleus, Franciscus Harrisius, et Antonius Hoskinus, qui ex hoc collegio Anglicano in collegium Duacense, ad finiendum studiorum suorum cursum, transmittuntur, ex nullâ causâ recedunt quæ inurere aliquam iis notam possit, vel inhabilitatem, impedimentum, præjudiciumve aliquod inferre, quominùs in quibuslibet collegiis, seminariis, universitatibus, ac religionibus admitti et recipi possint. Et insuper declaramus, quòd semper, et ubique, ac in totâ eorum vitâ, omnibusque ac singulis eorundem actionibus ac prætensionibus, haberi ac tractari debebunt perindè ac cæteri hujusce collegii alumni. In quorum fidem, re totâ cum sanctissimo domino nostro et sacrâ congregatione de propagandâ fide communicatâ, et de sanctitatis suæ mandato, hanc attestationem manu nostrâ subscripsimus, et nostro sigillo muniri jussimus. Datum Romæ die 4°. Maii, 1624.

Oct. Card. Bandinus.

Franciscus Ingolus, *Secretarius*[1].

[1] [The seal attached to this instrument is engraved in the title-page to the present volume.—*T.*]

No. XLIV.—(*Referred to at page* 116.)

*** *King James's Instructions to Sir John Digby, April* 14, 1617.

[Prynne's Hidden Works of Darkness, 2.]

No man can better inform you, than yourself do know (having been long our ambassador resident with the king of Spain), that, both in former times and of late, speeches have passed between you and some ministers of his, concerning a marriage of our dear son the prince, and the infanta, or lady Mary, second daughter of the said king, for the better assurance and strengthening of the amity, which, being begun immediately after our succession to the crown of England, hath ever since continued: which speeches although they have been so providently carried by your discretion, all the time you were ambassador there, as that you never appeared therein as a public minister, but only in quality of a private gentleman, and well-wisher to the continuance and encrease of friendship betwixt the king and us, yet, since your return, and being of our council, the same speeches have so far proceeded between you and the ambassador of the king of Spain resident here (not without our privity), as that we thought fit to acquaint a select number of our council therewith, who, having heard the report of the former proceedings, have delivered to us their opinion, that they find very probable ground for us to enter into a public treaty thereof, with as much assurance of good success, as in such case may be had.

Whereupon we have given you a commission under the great seal, in due form of law, authorising you to treat and conclude for a marriage to be had and made between our said dearest son Charles, the prince, and the said lady Mary, second daughter to the said king of Spain, as you shall perceive by the tenor thereof. And, for your better direction in a matter of so great moment, we have thought good to accompany the said commission with these instructions.

Wherein, first, we think good to let you know that, if, at your arrival at the court, you shall find, by good probability and other circumstances, that there is in the said king and his ministers as ready a disposition as formerly you have found, to proceed further in such a treaty, you may open unto them that you are come, accompanied and authorised with power sufficient, on our part, to treat and conclude: but if you do discern any alteration or coldness from the former demonstration, not only of a sincere meaning, but of a very great desire to give us satisfaction, you may then forbear to make use of your com-

mission (which we must refer to your discretion), and advertise us what you perceive.

If you shall find things in such case, as you shall have cause to fall to treaty of particulars, then, for your direction therein, you shall understand that this business doth consist of two principal parts, the one concerning matter of religion, and the other of civil considerations, matter of portion, and other charges, on their part; and dower, and assurance of dower, on our part.

The matter of religion is to us of most principal consideration; for nothing can be to us dearer than the honour and safety of the religion which we profess: and therefore, seeing that this marriage and alliance, if it shall take place, is to be with a lady of a different religion from us, it becometh us to be tender, as, on the one part, to give them all satisfaction convenient, so, on the other, to admit nothing that may blemish our conscience, or detract from the religion here established. And although we cannot, for the present, give you precise and particular direction and warrant for all points that will come in question, in this subject of religion, yet, in general, we have thought good thus far to authorise you, that, whereas, while you were in Spain, certain articles for matter of religion, after a consultation had by some of their divines, were delivered to you, as points they were like to insist upon (which, seeming to you unworthy to be by us hearkened unto, you did utterly reject and refuse; yet afterward, upon a private conference between you and some others, to whom that cause had been committed, there was between you a qualification conceived therein, though never delivered as a matter approved there), we have perused those articles, and added something to them, by way of explanation, for our clearer satisfaction, and have signed them with our own hand, in a schedule hereunto annexed; and do let you know that, if they shall be admitted there as we have signed them, and no further matter in point of religion urged, we can be content you proceed and express your liking, and that you hope it will give us satisfaction, and that you will speedily advertise us: but you shall not so far consent or conclude, as to bind us, until you have advertised us, and received our express pleasure and assent. But if you find any hesitation or doubt made upon them, or any new matter added to any of those points, which you shall find to vary from the true sense of them, you shall suspend your proceeding to the approving of any such alteration, and advertise us thereof, and attend our further direction and pleasure. Given at Lincoln, the fourteenth day of April, 1617.

Schedule of Articles, mentioned above.

That, for the taking away of all scruples, and the better justification of the match, the dispensation of the pope is to be procured; but thereof his majesty need to take no kind of notice, but to be the mere act of the king of Spain.

That the children of this marriage shall no way be compelled or constrained, in point of conscience of religion; wherefore there is no doubt that their title shall be prejudiced, in case it should please God that they should be catholics.

That the family which the infanta shall bring with her (being strangers) may be catholics; and that the nurses, which shall give milk unto the children, shall be chosen with her consent, and shall be accounted of her family.

That the place which shall be appointed for divine service shall be decent, capable, free, and public for all those of her family; and that there shall be administered in it the sacraments and divine service, according to the use and ceremonies of the church of Rome.

That, in case the infanta herself shall only have a secret and particular oratory, there shall be appointed for her family a settled chapel, for the administering of the sacraments, and for the burying of the dead of the said family; and that this public exercise of religion begin from her first entrance into England.

That it shall be lawful for the ecclesiastical and religious persons of her family to wear their own habit.

That, after the dispensation granted by the pope, the marriage shall be celebrated in Spain, *per verba de præsenti*, by a procurator, according to the instruction of the council of Trent.

And that the years and ages be without supplement, waiting the ten days, and the infanta receiving the nuptial benediction; but that, within certain days to be limited after her arrival in England, there shall be, *in facie ecclesiæ*, used such a solemnization as, by the laws of England, shall make the marriage valid, and take away all scruple touching the legitimation of the issue.

That she shall have a competent number of chaplains, and a confessor, being strangers; and that amongst them shall be one that shall have power and authority for the government of the rest of her said family, in matters concerning catholic religion.

That there be fitting assurances given for performance of the said conditions. Given at Lincoln, the fourteenth of April, 1617.

*** *King James to Philip, king of Spain, April* 27, 1620.

[Prynne's Hidden Works of Darkness, 8.]

Consanguinee et amice charissime,

Literas serenitatis vestræ, septimo Augusti datas, reddidit tandem comes Gondomar, expectatus ille quidem et pergratus mihi, cui ego, pro literarum vestrarum authoritate, quæ in mandatis acceperat exponenti, fidem habui non invitus. Ad articulos viginti illos, de quibus in Hispaniâ jam ante cum oratore nostro, Barone Digbeio, disceptatum fuerat, pleniùs et liquidiùs respondi, quotquot ex iis Gondomarus clariùs et accuratiùs enucleandos censuit[1]. Ad quinque porrò capita, quæ postmodùm sunt adjecta, sensum animi mei sic exprompsi, ut serenitati vestræ cumulatè satisfactum iri non dubitem[2]. Quòd autem, de re religionis, alia quædam, ad subditos meos spectantia, comes ille vestro mihi nomine proposuit ac commendavit, equidem candorem illum verè regium optimè, uti par est, interpretari debeo, quòd subditis nostris gratiam et indulgentiam hanc omnem, qualis ea cumque futura sit, alteri nemini cuiquam principi nisi nobismetipsis debendam existimet, meritoque ideo ac benignitate nostrâ, non minùs quàm fide et officio astringi se nobis agnoscant et devinciri. Quo certè exploratiùs serenitati hoc vestræ constare pervelim, quum ego, cùm vestro hoc rogatu ac desiderio, tùm meo imprimis affinitatis istius perficiendæ studio (quam utrimque mutuò exoptatam non diffido), totus afficiar atque commovear. Sanè Romanorum apud nos catholicorum incolumitati et votis quantum etiam nunc indulserimus, significabit comes Gondomarus; et verò quantum, pro temporis ratione, commodè ac decenter hactenùs facere potuimus, factum haud dubiè significabit. Ubi verò nuptiæ, favente Numine, inter liberos nostros ex animi nostri sententiâ coaluerint, prorsùs æquum censeo atque statuo, propter istam quæ intercedit illis religionis discrepantiam, liberum ut infantæ suæque toti familiæ immunè suæ religionis exercitium, seorsim intra parietes domesticos in principis aulâ, permittatur. Nec verò aliundè, quantum hoc quidem provideri poterit, quicquam ipsi, religionis nomine, graviùs aut molestiùs patiar obiriri. Sanctè insuper et verbo regio pollicemur, catholicum aut sacerdotem Romanum neminem, religionis aut sacerdotii causâ, dehinc capitis damnatum; neminem juramentis, ad rem

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[1] [These articles will be found in the first column of the paper printed in No. XLIX, post.—*T.*]

[2] [The five articles, with James's answers, will be found in the first and second columns of the "*Conditiones Additæ*," at the end of No. XLIX, post.—*T.*]

religionis attinentibus (quibus in capitis discrimen vocari poterint), dedehinc imposterùm adactum aut irretitum iri. Quamvis enim abundè jam pridem orbi innotuerit, graviter nos hominum malè conciliatorum inauditis machinationibus, religionis prætextu susceptis et obtectis, non semel ad ea remedia provocatos, quæ facilitati et insitæ clementiæ nostræ minùs erant cordi, procul tamen ab ingenio ac moribus nostris abfuisse semper illam animi duritiem et severitatem, præsertim in causâ religionis, cùm reliqua vitæ consuetudo, tùm scripta nostra publicè typis divulgata satis testatum reddiderunt. Alias verò leges nostrates, quæ mulctam catholicis Romanis, non mortem, irrogant, aboleri aut rescindi à nobis seorsim non posse, leniri ita posse, cum erit usus, exploratum habebit serenitas vestra, omnibus ut dictorum catholicorum animis mansuetudine ac lenitate nostra conciliatis, non solùm in officio jam illi ac fide permanere, quin omni in nos studio, amore, ac pietate, cum cæteris subditis decertare tenebuntur. Extremum illud addam, et in me recipiam, — sicubi Deo optimo maximo visum erit filiolam hanc vestram mihi nuram, filio meo conjugem, dicare, socerum experturam non difficilem, qui quod ab ipsâ utique, suorum in gratiam quibus consultum velit, ex æquo et bono postulatum fuerit, pronis auribus sit accepturus. Atque hæc ego fusiùs meâpte sponte profiteri volui, planiùs et penitiùs ut intelligeretis, neque studium satis serenitati vestræ faciendi, neque in instituto hoc negotio seriò et ingenuè procedendi animum, mihi defuturum ; unde et liberi nostri connubio felicissimo, et nos arctissimo amoris fraterni vinculo uniamur, et subditi utriusque nostri pace et amicitiâ perpetuâ perfruantur: quæ ego præclara scilicet et eximia bona in istiusmodi principum christianorum affinitatibus contrahendis præcipuè semper spectanda existimavi. Unum hoc superest ut a vobis petam atque contendam, liberè ac liberaliter in re propositâ uti agatis mecum, proinde atque ego in rebus vestris omnibus vicem rependam, et ex animo sum prestiturus. Ex multiplice prole masculâ, superstitem nobis hæredem unicum dedit Deus, filium nostrum principem Carolum, virili jam ætate, qui vigesimum annum propè jam compleverit : nec est in rebus humanis quod tantoperè desideremus (ipsi provectiores jam facti), quàm ut illum in illustri et idoneo matrimonio quamprimùm collocemus, regnaque, quæ Deus indulsit nobis, in ipsius progenie quasi constabilita, ad posteros propaganda transmittamus. Rogamus itaque majorem in modum statuat tandem ac decernat serenitas vestra, ut negotium hoc omne eâ celeritate conficiat, quantâ res tanta confici potuerit. Erit hoc æquitatis et prudentiæ vestræ, cogitare quanti hoc nostrâ intersit, qui filium habeamus hunc unicum ; quantum porrò conditio in hoc nostra abs

vestrâ discrepet, quem Deus sobole tàm multâ et copiosâ locupletavit: — Quem ut vos vestrosque omnes diù incolumes et volentes velit [conservare], etiam atque etiam obtestamur. Datum ex ædibus nostris Theobaldinis, 27 Aprilis, 1620.

No. XLV.—(*Referred to at page* 117.)

King James's speech to his Parliament, Jan. 30, 1621.

[Rushworth, i. 21.]

My Lords Spiritual and Temporal, and you the Commons,

In multiloquio non deest peccatum. In the last parliament, I made long discourses, especially to them of the lower house. I did open the true thoughts of my heart: but I may say with our Saviour, "I have piped to you, and you have not danced: I have mourned, and you have not lamented." Yet, as no man's actions can be free, so in me God found some spices of vanity; and so all my sayings turned to me again, without any success. And now, to tell the reasons of your calling, and this meeting, apply it to yourselves, and spend not the time in long speeches. Consider that the parliament is a thing composed of a head and a body; the monarch and the two estates. It was first a monarchy, then, after, a parliament. There are no parliaments, but in monarchical governments: for in Venice, the Netherlands, and other free governments, there are none. The head is to call the body together: and for the clergy, the bishops are chief; for shires, their knights; and for towns and cities, their burgesses and citizens. These are to treat of difficult matters, and to counsel their king with their best advice, to make laws for the commonweal: and the lower house is also to petition their king, and acquaint him with their grievances; and not to meddle with their king's prerogative. They are to offer supply for his necessity, and he to distribute, in recompense thereof, justice and mercy. As, in all parliaments, it is the king's office to make good laws, whose fundamental cause is the people's ill manners; so, at this time, that we may meet with the new abuses, and the encroaching craft of the times. Particulars shall be read hereafter.

As touching religion, laws enough are made already. It stands in two points; persuasion and compulsion. Men may persuade, but God must give the blessing. Jesuits, priests, puritans, and sectaries, erring both on the right hand and left hand, are forward to persuade unto their own ends; and so ought you, the bishops, in your example and preaching: but compulsion to obey, is to bind the conscience.

There is a talk of a match with Spain; but if it shall not prove a

furtherance to religion, I am not worthy to be your king. I will never proceed, but to the glory of God, and content of my subjects.

For a supply to my necessities,—I have reigned eighteen years, in which time you have had peace, and I have received far less supply, than hath been given to any king, since the conquest. The last queen, of famous memory, had, one year with another, above a hundred thousand pounds per annum in subsidies; and, in all my time, I have had but four subsidies, and six fifteenths. It is ten years since I had a subsidy, in all which time I have been sparing to trouble you: I have turned myself as nearly, to save expenses, as I may. I have abated much in my household expenses, in my navies, in the charge of my munition. I made not choice of an old beaten soldier for my admiral; but rather chose a young man (*Buckingham*), whose honesty and integrity I knew; whose care hath been to appoint under him sufficient men, to lessen my charges; which he hath done.

Touching the miserable dissensions in christendom, I was not the cause thereof; for the appeasing whereof I sent my lord of Doncaster, whose journey cost me three thousand five hundred pounds. My son-in-law sent to me for advice; but, within three days after, accepted of the crown: which I did never approve of, for three reasons,—

First, for religion's sake, as not holding with the jesuits' disposing of kingdoms; rather learning of our Saviour to uphold, not to overthrow, them.

Secondly, I was not judge between them, neither acquainted with the laws of Bohemia. *Quis me judicem fecit?*

Thirdly, I have treated a peace, and therefore will not be a party. Yet I left not to preserve my children's patrimony: for I had a contribution of my lords and subjects, which amounted to a great sum: I borrowed of my brother of Denmark seven thousand five hundred pounds, to help him, and sent as much to him as made it up ten thousand; and thirty thousand I sent to the princes of the union, to hearten them. I have lost no time: had the princes of the union done their parts, that handful of men, I sent, had done theirs. I intend to send, by way of persuasion; which, in this age, will little avail, unless a strong hand assist. Wherefore, I purpose to provide an army, the next summer, and desire you to consider of my necessities, as you have done to my predecessors. *Qui citò dat, bis dat.* I will engage my crown, my blood, and my soul, in that recovery.

You may be informed of me, in things, in course of justice; but I never sent to any of my judges, to give sentence contrary to law. Consider the trade, for the making thereof better; and shew me the

reason why my mint, for these eight or nine years, hath not gone. I confess, I have been liberal in my grants; but, if I be informed, I will amend all hurtful grievances. But who shall hasten after grievances, and desire to make himself popular, he hath the spirit of Satan. If I may know my errors, I will reform them. I was, in my first parliament, a novice; and, in my last, there was a kind of beasts, called *Undertakers*, a dozen of whom undertook to govern the last parliament, and they led me. I shall thank you for your good office; and desire that the world may say well of our agreement.

No. XLVI.—(*Referred to at page* 119.)

A remonstrance of the House of Commons to king James I, during his treaty for a match with Spain. Dec. 3, 1621.

[Rushworth, i. 40.]

Most gracious and dread Sovereign,

We, your majesty's most humble and loyal subjects, the knights, citizens, and burgesses, now assembled in parliament, who represent the commons of your realm, full of hearty sorrow to be deprived of the comfort of your royal presence, the rather, for that it proceeds from the want of your health, wherein we all unfeignedly do suffer, in all humble manner calling to mind your gracious answer to our former petition, concerning religion, which, notwithstanding your majesty's pious and princely intentions, hath not produced that good effect, which the danger of these times doth seem to us to require; and finding how ill your majesty's goodness hath been requited by princes of different religion, who, even in time of treaty, have taken opportunity to advance their own ends, tending to the subversion of religion, and disadvantage of your affairs, and the estate of your children; by reason whereof, your ill affected subjects at home, the popish recusants, have taken too much encouragement, and are dangerously encreased in their number, and in their insolencies, we cannot but be sensible thereof, and therefore humbly represent what we conceive to be the causes of so great and growing mischiefs, and what be the remedies.

1. The vigilancy and ambition of the pope of Rome, and his dearest son; the one aiming at as large a temporal monarchy, as the other at a spiritual supremacy.

2. The devilish positions and doctrines, whereon popery is built, and taught with authority to their followers, for advancement of their temporal ends.

3. The distressed and miserable estate of the professors of true religion in foreign parts.

4. The disastrous accidents to your majesty's children abroad, expressed with rejoicing, and even with contempt of their persons.

5. The strange confederacy of the princes of the popish religion; aiming mainly at the advancement of theirs, and subverting of ours, and taking the advantages conducing to that end, upon all occasions.

6. The great and many armies raised and maintained at the charge of the king of Spain, the chief of that league.

7. The expectation of the popish recusants of the match with Spain; and feeding themselves with great hopes of the consequences thereof.

8. The interposing of foreign princes and their agents, in the behalf of popish recusants, for connivance and favour unto them.

9. Their open and usual resort to the houses, and, which is worse, to the chapels, of foreign ambassadors.

10. Their more than usual concourse to the city, and their frequent conventicles and conferences there.

11. The education of their children in many several seminaries and houses of their religion in foreign parts, appropriated to the English fugitives.

12. The grants of their just forfeitures, intended by your majesty as a reward of service to the grantees, but, beyond your majesty's intention, transferred or compounded for, at such mean rates, as will amount to little less than a toleration.

13. The licentious printing and dispersing of popish and seditious books, even in the time of parliament.

14. The swarms of priests and jesuits, the common incendiaries of all christendom, dispersed in all parts of your kingdom.

And from these causes, as bitter roots, we humbly offer to your majesty, that we foresee and fear, there will necessarily follow very dangerous effects, both to church and state: for, 1°. The popish religion is incompatible with ours, in respect of their positions: 2°. It draweth with it an unavoidable dependency on foreign princes: 3°. It openeth too wide a gap for popularity to any, who shall draw too great a party: 4°. It hath a restless spirit, and will strive by these gradations,—if it once get a connivency, it will press for a toleration; if that should be obtained, they must have an equality; from thence they will aspire to superiority, and will never rest, till they get a subversion of the true religion.

The remedies against these growing evils, which, in all humility, we offer unto your most excellent majesty, are these;—

1°. That, seeing this inevitable necessity is fallen upon your majesty, which no wisdom or providence of a peaceable and pious king can

avoid, your majesty would not omit this just occasion, speedily and effectually to take your sword into your hand.

2°. That once undertaken, upon so honourable and just grounds, your majesty would resolve to pursue, and more publicly avow, the aiding of those of our religion in foreign parts; which, doubtless, would re-unite the princes and states of the union, by these disasters disheartened and disbanded.

3°. That your majesty would propose to yourself, to manage this war with the best advantage, by a diversion, or otherwise, as in your deep judgment shall be found fittest; and not to rest upon a war in these parts only, which will consume your treasure, and discourage your people.

4°. That the bent of this war, and point of your sword, may be against that prince (whatsoever opinion of potency he hath), whose armies and treasures have first diverted, and since maintained, the war in the palatinate.

5°. That, for securing of our peace at home, your Majesty would be pleased to review the parts of our petition, formally delivered unto your majesty, and hereunto annexed; and to put in execution, by the care of choice commissioners, to be thereunto especially appointed, the laws already, and hereafter to be, made, for preventing of dangers by popish recusants, and their wonted evasions.

6°. That, to frustrate their hopes for a future age, our most noble prince may be timely and happily married to one of our own religion.

7°. That the children of the nobility and gentry of this kingdom, and of others ill-affected and suspected in their religion, now beyond the seas, may be forthwith called home by your means, and at the charge of their parents or governors.

8°. That the children of popish recusants, or such whose wives are popish recusants, be brought up, during their minority, with protestant schoolmasters and teachers, who may sow, in their tender years, the seeds of true religion.

9°. That your majesty will be pleased speedily to revoke all former licenses for such children and youth to travel beyond the seas; and not grant any such license hereafter.

10°. That your majesty's learned counsel may receive commandment from your highness, carefully to look into former grants of recusants' lands, and to avoid them, if by law they can; and that your majesty will stay your hand from passing any such grants hereafter, &c.

Part of King James the First's answer to the Commons, concerning popish recusants. Dec. 11, 1621.

[Rushworth, i. 50, 51.]

Now to the points in your petition, whereof you desire an answer, as properly belonging to the parliament;—the first and the greatest point is that of religion, concerning which, at this time, we can give you no other answer, than in general; which is, that you may rest secure, that we will never be weary to do all we can, for the propagation of our religion, and repressing of popery. But the manner and form you must remit to our care and providence; who can best consider of times and seasons, not by undertaking a public war of religion through all the world at once; which, how hard and dangerous a task it may prove, you may judge. But this puts us in mind, how all the world complained, the last year, of plenty of corn; and God has sent us a cooling card, this year, for that heat: and so we pray God that this desire among you, of kindling wars (shewing your weariness of peace and plenty), may not make God permit us to fall into the miseries of both. But, as we already said, our care of religion must be such, as, on the one part, we must not, by the hot persecution of our recusants at home, irritate foreign princes of contrary religion, and teach them the way to plague the protestants in their dominions, with whom we daily intercede, and at this time principally, for ease to them of our profession, that live under them; yet, upon the other part, we never mean to spare, from due and severe punishment, any papist that will grow insolent, for living under our so mild government. And you may also be assured, we will leave no care untaken, as well for the good education of the youth at home, especially the children of papists, as also for preserving, at all times hereafter, the youth that are, or shall be, abroad, from being bred in dangerous places, and so poisoned in popish seminaries. And as, in this point, namely, the good education of popish youth at home, we have already given some good proofs, both in this kingdom and in Ireland, so will we be well pleased to pass any good laws, that shall be made, either now, or at any time hereafter, to this purpose.

And as to your request, &c.

No. XLVII.—(*Referred to at page* 121.)

*** *Memorial from the English Clergy to Pope Gregory XV, Aug.* 26, 1621.

[Bennet's Copy, MS. in my possession.]

Beatissime Pater,

Diebus iis, quas mortem D. Archipresbyteri, superioris nostri,

antecesserunt, ad sanctitatem vestram scripsimus, et obedientiam nostram erga beatudinem vestram omni humilitate contestati, et rationes reddentes, quibus inducti, procuratoris ad sedem apostolicam missionem ad tempus differendam censuimus. Cum autem rerum apud nos facies sit nonnihil immutata, et spes nostræ magis aliquantò confirmatæ, id, quod primò destinavimus, jam pro nostro officio prosequendum, et, pro ecclesiæ Anglicanæ calamitate levandâ, speciali nuncio promovendum judicavimus. Beatudinem vestram latere non potest, quibus procellis, et quàm horrendis, pusilla hæc ecclesiæ Anglicanæ navicula jam totos sexaginta annos jactata fuerit, infestis hæreticorum circumquaque positorum incursionibus, molestiis, persecutionibus, cædibus, noctes diesque obnoxia, ab eisque ad direptionem et expilationem continuò postulata. Deo tamen immortali ac invisibili manum suam de alto mittente, et præsenti auxilio naviculam hanc suam in mediis fluctibus dirigente et protegente, salva hactenùs et secura naufragii malis omnibus superior evasit. Nunc verò cum videamus diù tractatum esse de matrimonio inter clarissimum principem Walliæ, serenissimi regis nostri filium unicum ac hæredem, et infantam Mariam, potentissimi Hispaniarum regis sororem, contrahendo, spes magna nobis affulget haud procul abesse optatam tranquillitatem, quam Dominus, clamore suorum tandem excitatus, laboranti navigio, hâc veluti arreptâ occasione, tempestivè conciliabit. Ab hujus siquidem matrimonii successu ita pendere videtur religionis catholicæ apud nos progressus, ut, Deo illud benè secundante, vix aliquid dubii relinquatur quin brevi magna pars Angliæ ad gremium sanctæ matris suæ, ecclesiæ catholicæ, prono et facili cursu contendat: sedatis enim persecutionum fluctibus, hoc est, suppressis gravissimis legibus, quæ pridem in sacerdotes omnes, singulosque catholicæ religionis professores, latæ fuerunt (quod hujus navigii beneficio futurum confidimus), necessum est ut via amplissima pateat ad fidem catholicam in hoc regno multò magis quàm antea propagandam, hæresimque, quæ, infernis viribus nixa, sibi ipsi jam timet, sensim expugnandam atque eliminandam. Itaque cum intelligeremus rem eousque inter reges ipsos tractatam esse, ut nihil jam ad dictum matrimonium feliciter stabiliendum deesse videretur, præter apostolicæ sedis suffragium, cujus nimirùm sacrosanctâ authoritate et permissu cum principibus ipsis dispensari possit in impedimento disparis cultûs, existimavimus muneris nostri esse eâ etiam de re, per procuratorem nostrum, D. Joannem Bennettum (unum ex coassistentibus, sacerdotem gravem, pium, doctum, prudentem, et viginti quinque continuorum annorum in hâc vineâ laboribus ac vinculorum pro fide perpessorum conspicuum, quem ad apostolicam sedem hâc de causâ unanimi con-

sensu destinavimus), ad beatitudinem vestram referre, rationesque, quibus inducti sumus ad sanctitati vestræ supplicandum pro dicto matrimonio, eidem scripto vel vivâ voce exponendas committere : nec enim, cum eæ plures sint, ac paulò prolixiùs, pro rei momento, explicandæ, par esse censuimus ut his literis insererentur. Hoc autem e maturiùs faciendum putavimus, quò magis pro comperto habuimus, eximium dominum comitem de Gondomar, catholicæ majestatis ad serenissimum regem nostrum legatum honoratissimum, per reverendum dominum fratrem Didacum de la Fuente, virum multis virtutibus ac naturæ dotibus ornatum, huic negotio apud sanctitatem vestram incumbere : sic namque statuebamus nos et reipublicæ Anglicanæ pro officio nostro utcumque inservire posse et operi tam sancto et necessario, et eximio domino comiti de Gondomar, de ecclesiâ Dei, nomine catholicorum Anglorum, supra quàm dici potest optimè merito, grati animi testimonium remetiri. Itaque, in personâ præsentis procuratoris nostri, ad beatitudinis vestræ pedes provoluti, et unà nobiscum clerus Anglicanus, et quicumque demùm sunt e gente nostrâ catholici, tàm submissè, quàm instanter atque obnixè sanctitati vestræ supplicamus, ut, boni publici et religionis intuitu, dignetur cum supradictis principibus, solemni matrimonio conjungendis, ex amplissimæ vestræ potestatis plenitudine dispensare. De cætero, Deum Opt. Max. precamur, &c. Datum Londini, die 26 Augusti, anno salutis 1621.

*** *Bennet to the Duke of Buckingham, March* 6, 1623.

[Original Draft in my possession.]

Most excellent and my very good Lord,

As, to this weighty affair, so long depending in this court, I could bring no other furtherance, than such as weak endeavours, accompanied with an earnest desire of the encrease of God's honour, and the service of our prince and country, could afford, so, truly, should I be very well content to have lapped up the memory thereof, and joyed in the happy issue, as the effect of the diligence and industry of others. But lurk I might not. I must undergo the censures of meddling wits : and, howsoever my conscience told me I had sowed no bad seed, I found cockle of misreport cast in. Yet, aiming, for my part, at no private interest, I resolved to suffer both to grow, in God's name ; knowing well our supreme and all-seeing judge would, time enough, sever them, the one for his barn, the other for his fire. But perceiving that, by over-active diligence, this noise had been spread even to the ears of his majesty (whose vassal, though unprofitable, yet loyal, I am) and your excellency, whose honourable labours our pos-

terity will bless, I held it my duty to give account to both,—such as if it cannot recommend much desert, yet, I hope, will free my actions and intentions from all suspect of crime.—Thus then it fell out.

When first I arrived here, of his holiness's power to dispense in our case I found no doubt made: only, it was agreed among divines that, to warrant the doing, as void of sin, there must be good cause, inferring special advantage for God's honour, justly hoped, yea, well assured thereby: else could not be enervate an ecclesiastical decree established for public good; sith that were an abuse of his authority, granted, *non ad destructionem*, but *ædificationem*.

At my first audience, his holiness demanded what in this behalf we could allege: so did the cardinals. To satisfy, I pressed by word, and exhibited in writing, the reasons which I send herewith: but, this business never wanting stiff and secret opposition, it was insisted that although the causes alleged were sufficient, yet what assurance could be had that his majesty would make good such things as therein should be promised? To answer this, I added the appendix, which goeth also with these. That, in forcing and urging these reasons, we should be importunate, our duty to our prince, our present advantage, our former distresses, were causes pregnant, warranted especially with the right we had to require remedy from the see apostolic, when, in peaceable manner, and with consent of all parties, it might be yielded. If our speeches were feeling, as issuing from the heart, so, truly, were they heard with feeling by his holiness and our honourable judges, who ever shewed an earnest desire to give his majesty all satisfaction, and us the relief we so justly required.

All this we did, or could do, induceth no bond, challengeth no thanks: it is due. But padre Maestro[1] his faithful diligence, solicitude, and incessant labours in this affair, discovered that affectionate regard of his majesty his service, and sincere love to our nation, that many strangers (for all in this matter are not of our judgment) deemed it an excess, and blamed it in him. His answer ever was, that, though by nation he were not English, yet his heart was English: and [he] so much prevailed, that, with his prudence and efficacy, he swaged minds, if not in affection averted, yet assuredly in judgment opposite. I do assure your excellency I encrease nothing, nor can deliver the one-half of what I many times heard and saw. Gratitude and honesty bind us

[1] [The name by which Didacus de la Fuente seems to have been most commonly known in England.—*T.*]

to acknowledge that, which, if we did deny or would secrete, this whole court would witness. * * *

Sithence we received the joyful news of the late despatch in Spain, his holiness encreased our congregation with access of two cardinals in place of cardinal Sacrati, who is absent. These are Ubaldini and Barberini, worthy personages, and shew great zeal in this affair. Two days ago, I had audience with his holiness, to wit, the fourth of this present. I find him the same that always. Having said what I purposed, I exhibited the memorial enclosed: but here are greater and more powerful endeavours, which will, I hope, bring this whole treaty to a speedy conclusion; which God, of his goodness, grant. If I have been tedious, I conceived a bond and necessity; and what issueth out of dutiful affection your excellency will easily pardon. So, wishing your excellency all encrease of honour and happiness, here and hereafter, I rest. Rome, March 6, 1623.

Your excellency's humble servant

No. XLVIII.—(*Referred to at page* 122.)

*** *Warrant for the discharge of Recusants, July* 25, 1622.

[Prynne's Hidden Works of Darkness, 13.]

Trusty and well-beloved, we greet you well. Whereas we have given you a former warrant and direction for the making of two several writs, for the enlargement of such recusants as are in prison at this time, either for matters of recusancy in general, or for denying the taking the oath of supremacy, according to the statute, by removing them from the general gaols of this kingdom, to be bailed before the justices of our bench; finding, by experience, that this course will be very troublesome to the poorer sort of recusants, and very chargeable unto us, who, out of our princely clemency, and by the mediation of foreign princes, were desirous to bear out the same, we will and require you to make and issue forth two other writs, in nature and substance answerable with the former, to be directed to our justices of assise; enabling them and every of them to enlarge such recusants as they shall find in their several gaols, upon such sureties and recognizances and other conditions, as they were enlarged by the judges of our bench. And this shall be your warrant so to do. Dated at Westminster, July 25, 1622.

*** *The Lord Keeper to the Judges, Aug.* 2, 1622.

[MS. in the State Paper Office.]

After my hearty commendations to you:—his majesty having resolved, out of deep reasons of state, and in expectation of like corres-

pondence from foreign princes to the professors of our religion, to grant some grace and connivency to the imprisoned papists of this kingdom, hath commanded me to pass two writs under the great seal, for the same purpose; requiring the judges of every circuit to enlarge the said prisoners, according to the tenour and effect of the same.

I am to give you to understand for his majesty, how his royal pleasure is, that, upon receipt of those writs, you shall make no niceness or difficulty to extend this his princely favour to all such papists, as you shall find prisoners in the gaols of your circuit for any church recusancy whatsoever, or for refusing the oath of allegiance, or for having or dispersing popish books, or hearing saying of mass, or any other point of recusancy which doth touch or concern religion only, and not matter of state, which shall appear unto you to be totally civil and political. And so I bid you heartily farewell. Westminster College, Aug. 2, 1622. Your loving friend,

John Lincoln, C. S.

*** *The same to the Lord Annan, Sep.* 17, 1622.

[MS. in the State Paper Office.]

Right Honourable,

I owe more service to that true love and former acquaintance, which your lordship hath been pleased to afford, now these full ten years, than to be sparing or reserved in satisfying your lordship about any doubt whatsoever, the resolution whereof shall lie in my power. Concerning that offence taken by many people, both this side the borders and in Scotland, from that clemency which his majesty was pleased to extend to the imprisoned lay recusants of this kingdom, and my letter written unto the justices for the regling (*regulating*) of the same (which your lordship did intimate unto me yesterday, at Mr. Henry Gibbs's house, out of some news received from a peer of Scotland), this is the plainest return I can make unto your lordship.

In the general, as the sun in the firmament appears unto us no bigger than a platter, and the stars but so many nails in the pommel of a saddle, because of that eloignment and disproportion between our eyes and the object, so is there such an unmeasurable distance betwixt the deep resolution of a prince, and the shallow apprehension of common and ordinary people, that, as they will be ever judging and censuring, so must they be obnoxious to error and mistaking.

Particularly, for as much as concerns myself, I must leave my former life and my profession, my continual preaching, my writing (which is extant in the hands of many), my private endeavours about some great

persons, and the whole bent of my actions, which, in the place I live in, cannot be concealed, to testify unto the world what favour I am likely to importune for the papists, in point of religion.

For the king my master, I will tell you a story out of Velleius Paterculus. A surveyor, bragging to M. Lucius Drusus that he would so contrive his house, *ut libera à conspectu, immunis ab omnibus arbitris esset*, that it should stand removed out of sight, and be past all danger of peeping or eves-dropping, was answered,—"*Tu verò, si quid in te artis est, ita compone domum meam, ut quicquid agam ab omnibus conspici possit*,"—nay, my good friend, if you have any devices in your head, contrive my house in such a manner, as that all the world may see what I do therein. So, if I should endeavour to flourish up some artificial vault, to hide and conceal the intentions of his majesty, I know I should receive the same thanks that the surveyor did from M. Drusus.

I was not called to counsel by his royal majesty, when the resolution of this clemency to the lay recusants was first concluded: but, if I had been asked my opinion, I should have advised it without the least hesitation. His majesty was so popishly addicted at this time, that, to the incredible exhaustments of his treasury, he was a most zealous interceder for some ease and refreshment to all the protestants in Europe, his own dominions and Denmark only excepted. Those of Swedeland, having lately provoked the Pole, had no other hope of peace, those of France of the exercise of their religion, those of the palatinate and adjoining countries of the least connivency to say their prayers, than by the earnest mediation of our gracious master. And, advised by the late assembly of parliament to insist a while longer in this milky way of intercession and treaty, what preposterous argument should this have been, to desire these mighty princes, armed and victorious, to grant some liberty and clemency to the protestants, because himself did now imprison and execute the rigour of his laws against the Roman catholics! I must deal plainly with your lordship. Our viperous countrymen, the English jesuits in France, to frustrate those pious endeavours of his majesty, had, many months before this favour granted, retorted that argument upon us, by writing a most malicious book, which I have seen and read over, to the French king, inviting him and the three estates to put all those statutes in execution against protestants in those parts, which are here enacted, and, as they falsely informed, severely executed upon the papists. I would therefore see the most subtle state-monger in the world chalk out a way for his majesty to mediate for grace and favour for the protestants, by executing, at this time, the severity of [the] laws upon the papists.

And that this favour should mount to a toleration, is a most dull, and yet a most devilish, misconstruction. A toleration looks forward to the time to come; this favour backward to the offences past. If any papist, now set at liberty, shall offend the laws again, the justices may, nay must, recommit him, and leave favour and mercy to the king, to whom only they properly belong. Nay, let those two writs, directed to the judges, be as diligently perused by these rash censurers, as they were by those grave and learned men, to whom his majesty referred the penning of the same, and they shall find that these papists are not otherwise out of prison, than with their shackles about their heels,—sufficient sureties, and good recognizances, to present themselves again, the next assises. As, therefore, that Lacedemonian posed the oracle of Apollo, by asking his opinion of the bird he grasped in his hand, whether he was alive or dead, so it is a matter yet controverted [and] undecided, whether these papists, closed up and grasped in the hands of the law, be still in prison or at liberty. Their own demeanour, and the success of his majesty's negotiations, are the oracles that must decide the same. If the lay papists do wax insolent with this mercy, insulting upon the protestants, and translating this favour from the person to the cause, I am verily of opinion that his majesty will remand them to their former state and condition, and renew his writ no more. But if they shall use these graces modestly, by admitting conference with learned preachers, demeaning of themselves neighbourly and peaceably, praying for his majesty and the prosperous success of his pious endeavours, and relieving him bountifully (which they are as well able to do as any other of his subjects) if he should be forced and constrained to take his sword in hand, then it cannot be denied but our master is a prince, that hath, as one said, *plus humanitatis penè quàm hominis*, and will at that time leave to be merciful, when he leaves to be himself.

In the mean while, this argument, fetched from the devil's topics, which concludes *à concreto ad abstractum*, from a favour done to the English papists, that the king favoureth the popish religion, is such a composition of folly and malice, as is little deserved by that gracious prince, who, by word, writing, exercise of religion, acts of parliament, late directions for catechising and preaching, and all professions and endeavours in the world, hath demonstrated himself so resolved a protestant. God, by his Holy Spirit, open the eyes of the people, that, these airy representations of ungrounded fantasies set aside, they may clearly discern and see how, by the goodness of God and the wisdom of their king, this island, of all countries in Europe, is the sole nest of

peace and true religion; and the inhabitants thereof unhappy only in this one thing, that they never look up to heaven, to give God thanks for so great a happiness.

Lastly, for my own letter to the judges, which did only declare, not operate, the favour, it was either mispenned, or much misconstrued. It recited four kinds of recusancies only, capable of his majesty's clemency; not so much to include these, as to exclude many other crimes, bearing amongst the papists the name of recusancies,—as, using the function of a Romish priest, seducing the king's liege people from the religion established, scandalizing and aspersing our king, church, state, and present government: all which offences, being outward practices, and no secret motions of the conscience, are adjudged by the laws of England to be merely civil and political, and excluded by my letter from the benefit of those writs, which the bearer was employed to deliver unto my lords, the judges.

And thus I have given your lordship a plain account of the carriage of this business; and the more suddenly, that your lordship might perceive it was no *aurea fabula*, or prepared fable, but a bare narration, which I have sent unto your lordship. I beseech your lordship to let his majesty know that the letters to the justices of peace, concerning these four heads recommended by his majesty, shall be sent away as fast as they can be exscribed. I will trouble your lordship no more, at this time, but shall rest ever

Your lordship's servant, and true friend,

From Westminster College, this 17 of Sep. 1622. Jo. LINCOLN, C.S.

No. XLIX.—(*Referred to at page* 124.)

*** *Articles for the Spanish Match, as transmitted from Rome, July* 28, 1622.

[Prynne's Hidden Works of Darkness, 4.]

Conditiones oblatæ ex Angliâ.	*Responsio Papæ.*
1. Quòd matrimonium perficiendum est per dispensationem papæ; sed hæc procuranda est per operam regis Hispaniæ, qui super verbo regis fidem daturus est regi Magnæ Britanniæ, se facturum quod possibile est, ut dispensatio papæ procuretur.	*Admitted.*
2. Quòd matrimonium cele-	2. Matrimonium semel tantùm

brandum est in Hispaniâ et in Angliâ : in Hispaniâ, per procuratorem, secundum formam ecclesiæ Romanæ ; et in Angliâ, secundum omnes ceremonias quæ regi Magnæ Britanniæ convenientes videbuntur, modò nullæ sint quæ contradicant religioni dominæ infantæ : sed de hoc statuenda est formula, quomodò sit hìc et illic perficiendum.

celebrandum est, in Hispaniâ : verùm, si aliquæ solennitates in Angliâ faciendæ sint, declarabitur forma solennizationis faciendæ in Angliâ, quæ religioni catholicæ et Romanæ non contradicat.

3. Quòd serenissima domina infanta servos et familiam secum hinc habitura est, per electionem et nominationem fratris sui, serenissimi regis Hispaniæ ; modò rex nullum servum nominaverit qui fuerit vassallus regis Magnæ Britanniæ, sine suâ voluntate et consensu.

Admitted.

4. Quòd serenissima domina infanta habebit, et habitura erit, liberum usum et publicum exercitium religionis catholicæ, in modo et formâ prout infrà capitulatum est.

Admitted.

5. Quòd habebit decens oratorium in suo palatio, ubi missæ celebrari possint, pro libito serenissimæ dominæ infantæ ; et quòd hoc oratorium est adornandum cum tali decentiâ, quæ serenissimæ dominæ conveniens videbitur : — in dicto oratorio vel capellâ, quòd sacerdotibus ejus licebit exercere liberum usum sui sacerdotii, prout dicta serenissima domina ordinaverit.

5. Habeat etiam ecclesiam publicam Londini, et ubi serenissima infanta morabitur ; et utrobique omnia officia divina publicè celebrentur, verbum Dei prædicetur, et sacramenta ministrentur.

6. Quòd servi et servæ serenissimæ dominæ infantæ, et servi servorum, et omnes pertinentes

6. Quòd servi et servæ serenissimæ dominæ infantæ, et servi servorum, eorumque filii et de-

ad familiam suam, poterunt esse catholici liberè ; quod non tamen intelligendum est ut quicumque fuerit servus obligetur ut servus esset catholicus.

7. Quòd servi supradicti, qui fuerint catholici, possint ita liberè esse in formâ sequente.

8. Quòd serenissima domina infanta habebit, in, vel contiguam palatio, unam capellam tàm capacem, ut dicti servi catholici possint intrare et commorari in illâ ; in quâ una sit porta publica et ordinaria, per quam dicti servi possint intrare, et altera porta interior de palatio, per quam serenissima domina infanta possit intrare in dictam capellam, audire et celebrare officia.

9. Quòd ista capella ornetur cum decenti ornatu altarium, ornamentorum, et aliarum rerum necessariarum pro cultu divino, qui in eâ celebrandus est, secundum usum sanctæ Romanæ ecclesiæ : et quòd dictis servis licebit se conferre ad dictam capellam, omnibus horis, prout videbitur.

10. Quòd cura et custodia dictæ capellæ erit in manibus capellanorum serenissimæ dominæ infantæ; et ad hoc licebit constituere servum vel servos, ne quis possit intrare ad faciendum quid indecorum in eâ.

11. Quòd, ad administrandum sacramenta et serviendum in capellâ, erit numerus ministrorum

scendentes ac familiares omnes, quomodocumque inservientes, debeant omninò esse catholici, et liberè.

7. Quòd servi et familiares supradicti debeant liberè esse catholici, in formâ sequente.

8. Quòd serenissima domina infanta habeat in palatio unam capellam tàm capacem, ut dicti servi et familiares, ut suprà, possint intrare et commorari in illâ ; in quâ una sit porta publica et ordinaria, per quam dicti possint intrare, et altera interior, per quam serenissima domina infanta habeat ingressum in dictam capellam, ubi ipsa et alii ut suprà divinis officiis interesse possint.

9. Quòd ista capella et ecclesia publica ornentur cum decenti ornatu altarium et aliarum rerum, quæ necessaria sunt pro cultu divino qui in illis celebrandus est, secundum ritum sanctæ Romanæ ecclesiæ : et quòd dictis servis et aliis ut suprà licebit se conferre ad dictas capellam et ecclesiam, omnibus horis, prout illis videbitur.

10. Quòd cura vel custodia dictarum capellæ et ecclesiæ erit penes eos, qui deputabuntur a serenissimâ dominâ infantâ, cui licebit constituere custodes, ne quis possit intrare ad faciendum quid indecorum.

11. Quòd, ad administrandum sacramenta et serviendum in capellâ et ecclesiâ prædictis, erit

qui conveniens videbitur serenissimæ dominæ infantæ, modò talem numerum non excedat; et isti ministri nominabuntur per dictam serenissimam dominam, modò non sint vassalli regis Magnæ Britanniæ; aut, si fuerint, sint cum suâ voluntate et licentiâ.

12. Quòd sit unus minister superior, cum authoritate necessariâ ad omnes casus qui acciderint, spectantes ad religionem catholicam.

13. Quòd iste minister superior poterit corrigere, emendare, et castigare catholicos qui deliquerint; poterit autem serenissima domina illos de suo servitio abdicare.

14. Quòd licebit serenissimæ dominæ infantæ, et servis catholicis, acquirere Romæ dispensationes, indulgentias, jubilæos, et in his quod videbitur conscientiis suis competere.

15. Quòd catholici, qui in Angliam migrabunt, suscipient juramentum fidelitatis regi Magnæ Britanniæ, cum omnibus clausulis et cautionibus quæ sua majestas mandaverit, modò nulla sit clausula neque verbum in dicto juramento, quod contradicat religioni catholicæ, neque conscientiis catholicorum, quem ad finem forma dicti juramenti concipienda est.

16. Quòd leges quæ sunt in

numerus ministrorum qui conveniens videbitur serenissimæ infantæ; et isti nominabuntur per dictam serenissimam dominam, modò non sint vassalli regis Magnæ Britanniæ, aut, si fuerint, sint cum voluntate et licentiâ suâ.

12. Quòd sit unus minister in ordine episcopali constitutus superior, cum authoritate necessariâ ad omnes casus qui acciderint spectantes ad religionem; et, episcopo deficiente, illius vicarius.

13. Quòd iste minister superior poterit corrigere, emendare, castigare catholicos qui deliquerint, et in illos omnem jurisdictionem ecclesiasticam exercere; et, ultra hoc, poterit etiam serenissima domina illos de suo servitio abdicare.

14. Quòd licebit serenissimæ dominæ infantæ, et servis ut suprà, acquirere Romæ dispensationes, indulgentias, jubilæos, et ea omnia quæ videbuntur conscientiis suis competere.

15. Quòd servi et familiares, ut suprà, serenissimæ dominæ infantæ, qui in Angliam migrabunt, suscipient juramentum fidelitatis regi Magnæ Britanniæ, modò nulla sit clausula neque verbum quod contradicat religioni catholicæ et conscientiis catholicorum; atque ideo forma dicti juramenti concipiatur, per sedem apostolicam approbanda: et, si fortè sint vassalli regis Magnæ Britanniæ, idem juramentum suscipiant quod Hispani.

16. Quòd leges quæ sunt vel

Angliâ, spectantes ad religionem, dictos servos catholicos non attingent, qui cùm legibus, tùm pœnis contra transgressores earum impositis, erunt exempti;—in quo opus erit videre quomodo se res habeat.

17. Quòd liberi ex hoc matrimonio oriundi non cogentur neque compellentur in causâ religionis vel conscientiæ; neque leges contra catholicos attingent illos; et in casu si quis eorum fuerit catholicus, non ob hoc perdet jus successionis in regna et dominia Magnæ Britanniæ.

18. Quòd personæ ecclesiasticæ et religiosæ in familiâ dominæ infantæ, poterunt retinere suum vestitum et habitum.

19. Quòd nutrices, quæ lactabunt liberos serenissimæ dominæ infantæ, eligentur et admittentur cum consensu dictæ serenissimæ dominæ infantæ, et familiæ suæ annumerabuntur.

20. Quòd [minister superior] poterit castigare illos cum pœnis et censuris ecclesiasticis, sed non cum pœnis temporalibus: poterit autem serenissima domina illos de suo servitio abdicare.

erunt in Angliâ, spectantes ad religionem, dictos servos et alios, ut suprà, laicos non attingent, qui tùm legibus, tùm pœnis contra transgressores earum impositis, erunt exempti: ecclesiastici verò nullis legibus subjaceant, nisi suorum superiorum ecclesiasticorum.

17. Quòd leges, contra catholicos latæ vel ferendæ, non attingent liberos ex hoc matrimonio oriundos; et liberè jure successionis in regnis et dominiis Magnæ Britanniæ fruentur.

18. Quòd episcopus, personæ ecclesiasticæ, et religiosæ, poterunt retinere vestitum et habitum dignitatis et professionis, more Romano.

19. Quòd nutrices, quæ lactabunt liberos serenissimæ dominæ infantæ, omninò sint catholicæ, et ab ipsâ serenissimâ dominâ infantâ eligantur, et familiæ suæ adnumerentur.

20. Quòd superior in ordine episcopali constitutus, vel ejus vicarius, poterit servos et alios, ut suprà, ecclesiasticos punire, juxta leges et pœnas ecclesiasticas; et illos etiam serenissima domina infanta a suo servitio abdicare.

Conditiones additæ.

Ex Hispaniâ.

1. Quòd declarandum est, per serenissimum regem Magnæ

Ex Angliâ.

1. Pro securitate quod non dissolvatur matrimonium, firmio-

Ex Papâ.

1. Quia experientia docuit aliqua repudia evenisse in Angliâ,

Britanniæ, quæ securitas detur quòd, in nullo casu, matrimonium semel factum possit dissolvi.

res obligationes excogitari non possunt, quàm reipsâ sunt religio et lex regni; cum repudium utrique vel maximè contradicat: neque aliud adhiberi potest vinculum quàm illud honoris. Fiet enim omne quod decenter et commodè fieri potest.

majora vincula quàm oblata requiri videntur, quæ serenissimam infantam, per totum tempus vitæ serenissimi principis Walliæ, securam a repudio reddant.

2. Quòd declaretur ad quam ætatem serenissima domina infanta habeat educationem liberorum ex hoc matrimonio oriundorum.

2. Ad eam ætatem ad quam in usu est liberos regum Magnæ Britanniæ permanere sub regimine et curâ mulierum; et hoc, pro temperamento et valetudine liberorum, breviùs aut longiùs durabit.

2. Educentur liberi in religione catholicâ Romanâ penes matrem; fœminæ usque ad duodecim annos, mares usque ad quatuordecim; et liberè jure successionis regni fruantur.

3. Quòd declaretur quòd, quandocumque locos servorum et servarum quos serenissima domina secum attulerit, nominatos per regem catholicum, fratrem suum, vacare contigerit, dictus serenissimus rex catholicus nominabit alios in loco aliorum, quomodocumque vacaverint, sive moriantur, sive abdicentur servitio, sive suâ sponte inde venerint.

3. Servi, qui ex Hispaniâ venerint, nominabuntur per regem catholicum, quotiescumque loci vacaverint.

3. Subrogentur per regem Hispaniæ, quomodocumque vacaverint, sive moriantur, sive abdicentur servitio, sive suâ sponte discesserint, omnes servi et familiares infantæ.

4. Quòd serenissimus rex Magnæ Bri-

4. Pro securitate quòd totum, uti capi-

4. Quæ petenda sunt pro majore securitate,

tanniæ declaret securitatem quam potest dare, quòd totum, ut capitulatum est, inviolabiliter compleatur.

tulatum est, compleatur, rex Magnæ Britanniæ et princeps Walliæ juramento obstringendi sunt: consiliarii regis tractatum chirographo firmare debent: rex, et princeps Walliæ verbo regio fidem daturi sunt, se facturos quod possibile est ut omnia capitulata per parliamentum stabiliantur; et, quoniam nullam recusat cautionem cui præstandi animus est, si rex Hispaniarum quid aliud addiderit vel proposuerit, quod congruè et cum honore fieri possit, illud rex Magnæ Britanniæ perlubens faciet.

serenissimus rex Hispaniæ proponat sanctissimo domino nostro, ut probari possint.

5. Quòd præsupponitur, priusquam assentiatur et capituletur illud quod visum fuerit circa hoc matrimonium, quòd satisfieri et contentari debet papæ.

5. Præsupponitur quòd dispensatio papæ procuranda est, antequam quid fiat, uti capitulatum est in articulo primo.

Admitted.

Quoniam præscriptæ conditiones, a rege Britanniæ oblatæ, videntur securitatem tantùm religionis et conscientiæ serenissimæ infantæ et ejus familiæ respicere, ad concedendam verò dispensationem petitam alia requiruntur, ad utilitatem, augmentum, et magnum aliquod bonum catholicæ et Romanæ religionis spectantia, hæc proponenda erunt a rege Magnæ Britanniæ, ut sanctissimus dominus noster deliberare possit, an sint talia quæ dispensationem suadeant et mereantur.

No. L.—(*Referred to at page* 126.)

Philip IV., King of Spain, to his Prime Minister, Condé Olivarez, November 5, 1622.

[Lords' Journals, iii. 226.]

The king, my father, declared, at his death, that his intent never was to marry my sister, the infanta Donna Maria, with the prince of Wales; which your uncle, Don Balthasar, understood; and so, treated this match ever with intention to delay it. Notwithstanding, it is now so far advanced, that, considering withal the averseness unto it of the infanta, it is time to seek some means to divert the treaty; which I would have you find out; and I will make it good, whatsoever it be. But, in all other things, procure the satisfaction of the king of Great Britain, who hath deserved very much; and it shall content me, so that it be not in the match.

Condé Olivarez to Philip IV., King of Spain, November 8, 1622.

[Lords' Journals, iii. 226.]

Sir,

Considering in what estate we find the treaty of the marriage between Spain and England, and knowing certainly how the ministers did understand this business, that treated it in the time of Philip III., that is in heaven, that their meaning was, never to effect it, but, by enlarging the treaties and points of the said marriage, to make use of the friendship of the king of Great Britain, as well in the matters of Germany, as in those of Flanders; and suspecting likewise that your majesty is of the same opinion, although the demonstrations do not seem so; joining to these suspicions, that it is certain that the infanta, Donna Maria, is resolved to put herself into the Discalzas, the same day that your majesty shall press her to make this marriage, I have thought fit to represent unto your majesty that which my good zeal hath offered me, in this occasion; thinking it a good time to acquaint your majesty withal, to the end you may resolve of that, which you shall find most convenient, with the advice of those ministers that you shall think fit.

The king of Great Britain doth find himself, at this time, equally engaged in two businesses; the one is this marriage, to which he is moved by the conveniences that he finds in your majesty's friendship, with making an agreement with those catholics, that he thinks are secretly in his kingdom; and, by this, to assure himself of them, as likewise to marry his son to one of the house of Austria; knowing that the infanta, Donna Maria, is the best born lady in the world. The

other business is the restitution of the Palatinate, in which he is yet more engaged ; for, besides that his reputation is at stake, there is added the love and interest of his grand-children, sons of his only daughter ; so that, both by the law of nature, and reason of state, he ought to put them before whatever conveniences might follow, by dissembling what they suffer.

I do not dispute, whether the king of Great Britain be governed in this business of the Palatinate by art, or friendship. I think, a man might say he used both ; but, as a thing not precisely necessary to this discourse, I omit it. I hold it for a maxim, that these two engagements, in which he finds himself, are inseparable ; for, although the marriage be made, we must fail in that, which, in my way of understanding, is most necessary, the restitution of the Palatinate.

This being supposed, having made this marriage in the form, as it is treated, your majesty shall find yourself, together with the king of Great Britain, engaged in a war against the emperor and the catholic league ; so that your majesty will be forced to declare yourself, with your arms, against the emperor and the catholic league (a thing, which, to hear, will offend your godly ears), or, declaring yourself for the emperor and the catholic league, as certainly you will, your majesty will find yourself engaged in a war against the king of England, and your sister married with his son ; with the which all whatsoever reasons of conveniencies, that were thought upon with this marriage, do cease. If your majesty shall shew yourself neutral (as, it may be, some will propound), that, first, will cause very great scandal, and with just reason ; since, in matters of less opposition than of catholics against heretics, the arms of this crown have taken the godly against the convenient party : and, at this time, the Frenchmen fomenting the Hollanders against your majesty, your piety hath been such, that you have sent your arms against the rebels of that crown, leaving all the great considerations of state, only because these men are enemies to the faith and the church.

It will also oblige your majesty, and give occasion to those of the league, to make use of the king of France, and of other catholic princes, ill affected to this crown (for it will be a thing necessary for them to do so) ; and those, even against their own religion, will foment and assist the heretics, for hatred to us. Without doubt, they will follow the other party, only to leave your majesty with that blemish, that never hath befallen any king of these dominions. The king of England will remain offended and disobliged ; seeing that neither interests nor helps do follow the alliance with this crown ; as likewise with pretext

of particular resentment, for having suffered his daughter and grandchildren to be ruined, for respect of the said alliance.

The emperor, though he be well affected, and obliged to us in making the translation at this time, as business now stands (the duke of Bavaria being possessed of all the dominions), although he would dispose all according to our conveniencies, it will not be in his power to do it, as your majesty and every body may judge ; and the memorial, that the emperor's ambassador gave your majesty yesterday, maketh it certain ; since, in the list of the soldiers that every one of the league is to pay, he shews your majesty, that Bavier, for himself alone, will pay more than all the rest joined together ; the which doth shew his power and intention, which is, not to accommodate matters, but to keep to himself the superiority of all, in this broken time. The emperor is now in the diet, and the translation is to be made in it.

The proposition in this estate is, by considering the means for a conference, which your majesty's ministers will do, with their capacity, zeal, and wisdom ; and it is certain they will have enough to do with it all : for the difficulty consists in finding a way to make the present estate of affairs straight again ; when with lingering, as it is said, both the power and time will be lost. I suppose that the emperor, as your majesty knoweth by his ambassadors, desires to marry his daughter with the king of England's son. I do not doubt, but he will be likewise glad to marry his second daughter with the Palatine's son. Then I propound that these two marriages be made, and that they be set on foot presently ; giving the king of England full satisfaction in all his propositions, for the more strict union and correspondency, that he may agree to it. I hold it for certain, that all the conveniencies, that would have followed the alliance with us, will be as full in this : and the conveniency in the great engagement is more by this ; for it doth accommodate the matter of the Palatinate, and the succession of his grandchildren, with honour, and without drawing a sword, or wasting treasure. With this I interest the emperor with the conveniencies of the king of England and the Palatine, the only means (in my way of understanding) to hinder those great dangers, that do threaten by this means not to accommodate the businesses, and not sever himself from the conveniencies and engagements of Bavaria ; [and] I reduce the prince elector, that was an enemy, to the obedience of the church, by breeding his sons in the emperor's court with catholic doctrine.

The business is great, the difficulties greater than, perchance, have been in any other case. I have found myself obliged to represent unto your majesty, and shall shew, if you shall command me, what I

think fit for the disposing of the things, and of the great ministers that your majesty hath. I hope, with the particular notice of these things, and all being helped with the good zeal of the Condé Gondomar, it may be, God will open a way to a thing so much for his, and your majesty's service.

No. LI.—(*Referred to at page* 127.)

*** *James's Instructions and Remarks on the first twenty Articles, as transmitted from Rome, and printed in number forty-nine of this Appendix. Addressed to Lord Digby, Sep.* 9, 1622.

[Prynne's Hidden Works of Darkness, 14.]

To the second [and fifteenth] article:—We marvel that there hath been so necessary a point omitted, when the articles were sent to Rome by the king of Spain, to procure the dispensation, that the form agreed upon for the celebration of the marriage, and the oath of fidelity for the infanta's servants, were not also sent thither with the rest; being, as they were, agreed on, and so essential to the business. We have now delivered copies of them both to Gage, to make such use thereof, as shall be requisite for the furtherance of the business, of himself (since he is a person trusted by the court of Rome in this affair), but not as from us, who, having nothing to do with the pope, treated not with him, but with the king of Spain only.

To the fifth article, concerning the public church, besides the chapel:—We are verily persuaded that this would not have been demanded, if they had been well informed; it being more than either we ourself have, or the prince our son. And if there be no other reason for the demand of such a church, than that the world may take notice of the religion she professeth in a public manner, that may be as well in the chapel, assigned for her and her family, to which she and they may publicly and openly resort, in the sight of all whosoever shall desire to behold it; it being, in effect, a church, with a churchyard belonging unto it, and not simply a private oratory.

To the sixth article, where it is said that her servants, &c. ought, in any case, to be catholics, that concerns not us, but the king of Spain, who is to appoint them.

To the twelfth article, where it is required that the superior minister, having ecclesiastical authority over her family, should be *in ordine episcopali*:—We are well contented to leave that to the king of Spain, to allow of it, if he think fit.

To the sixteenth article, where it is required by the pope *quòd ecclesiastici nullis legibus subjaceant, nisi suorum superiorum ecclesiasticorum*, our answer is, that the exemption seems strange, and, as we

verily believe, is not allowed them in all states and countries that are Roman catholic. We hope that the clergymen, who shall come hither to attend the infanta, will give no cause for the civil magistrate to proceed against them in that manner, except it be for great and heinous causes, and that for faults merely civil.

To the nineteenth, concerning the nurses, it belongs unto the infanta, and she may do in it, as she pleaseth.

On the five additional articles.

To the first, concerning security against divorce,—the doubt which the pope makes is very needless, and the answer, which we gave unto the king of Spain, is so full, as more cannot be offered nor said.

To the second, touching the education of the children,—we consider that these articles, now to be agreed on, will hereafter become public, and that for us to declare unto the world that we have engaged ourself to have our grand-children brought up, *usque ad annos nubiles*, in a religion which we profess not, nor is publicly professed in our kingdom, we leave it unto the king of Spain's wisdom to consider indifferently and unpartially how unfit it is for us, in many respects, to yield unto it: and, therefore, further than you have already assented unto, in that article, in the general, which leaves the children under the tuition and care of the mother, longer or shorter, according to their constitutions and healths (which may possibly reach unto the time required by the pope), we can by no means condescend, unless the king of Spain think fit to limit the time to a certainty, for the mother to have the care of the children, so as it exceed not seven years old, which we can be contented to yield unto.

Thus far concerning the demands, made by the pope particularly unto several articles.

For the close of all, wherein, it seems, he expects some offer to be made by us for the general good of the Roman church, the same is explicated more plainly, in a discourse held by the cardinal Bandino with George Gage, whereof a copy is sent with these articles. But, for that matter, you are to put the king of Spain in remembrance that we treat with him, and not with the pope; that the articles concerning religion, agreed upon betwixt his father and us, were such, and so full to the satisfaction of that church, in the opinions of the learnedest and greatest clergy of Spain, as we have been often told that they have been ever of opinion, the pope could not, upon those articles, nor ought to refuse the dispensation. The cardinal acknowledgeth, as it seems, in that discourse, that the pope is satisfied with the reasons,

given both by the Padre Maestro and Gage, that we, of our own authority, cannot give a general and free liberty of exercising the Roman religion. What is it, then, they would have? Setting that aside, we have, in a manner, already done that which is desired, as all the Roman catholics have found, out of our gracious clemency towards them, especially of late, and will, no doubt, acknowledge: which if the pope had known, when these answers were given by him to the articles, it is to be presumed he would not so much have insisted upon that point. But, for whatever may concern that business, we have so fully declared ourself unto the late king of Spain, by our letter of the twenty-seventh of April, 1620, under our hand and seal, as we hope the king of Spain rests satisfied both with the extent of our promise in that behalf, and with the assurance of performance; which is as much as in honour can be required at our hands, or as we can grant, considering the state of our affairs and government. And therefore, since whatsoever is already agreed unto, either in the articles, or by that letter, we intend sincerely and religiously to perform, and can go no further, for no respects, without notable prejudice or inconvenience, we desire to know whether the king of Spain will resolve to conclude the match upon those terms or not; that there may be no time lost for us to provide some other match for our son, if that shall not succeed; and so to press a present resolution, without sending to and fro, betwixt Rome and Spain, which spends time, and may serve still for a colour to draw the treaty *in infinitum*. Nevertheless, if you find that it is a thing impossible for them to resolve, without a reply from Rome, and that they do earnestly desire it, we are contented that you shall yield them two months' time, after your audience, and no longer; so as, before Christmas at the furthest, we may be advertised finally what we are to trust unto; beyond which time we can expect no longer.

Thus you may observe how far we are pleased to express ourself, as well to manifest our desire and intention to continue for ever, on our part, the strict amity betwixt us and Spain, as also to take away all just exception, that may hinder the speedy conclusion of the match, as we have been contented now to enlarge ourself further, in divers particulars, than was before agreed on, or desired; as, namely, in condescending that the superior minister may be *in ordine episcopali*, that the limitation for the time for the education of the children be for six or seven years, and in other points, as you will find in this answer: of all which we require you to give special notice to that king, that he may thereupon take into his consideration the sincerity of our affection,

who have so roundly and really proceeded in this business, so as, in all reason, we may and do justly expect the like dealing from him, which cannot better appear than in the speedy despatch thereof.

No. LII.—(*Referred to at page* 129.)

Carondelet to Dr. Kellison, April 8, 1623.

[Original, belonging to the Dean and Chapter.]

Reverende et eximie Domine,

Non tam ut exolvam me promissis, quàm ut hoc voluptatis habeam, tibi scribo. Hoc enim temporis momentum mihi jucundissimum, quo te alloquor, citra illud quo tibi tuisque servio. Quòd si hactenùs facere tentavi, posthàc multò magis desidero. Quidquid enim queam facere, ne quidem gratitudinem meam sufficienter testari valeo. Quibus enim officiis tantum amorem, et tanta beneficia compensem? Sed frivolum est verbis respondere ejusmodi effectibus: præstolabor occasionem. Interim, hoc est, quod de rebus Britannicis scribam. Nudiustertiùs huc appulit veredarius à principe Walliæ, Madrito missus, per quem certiores facti sumus, dictum principem illuc pervenisse 17 Martii, et apud comitem de Bristol, sive Digby, hospitatum esse: eâdem nocte, nuntium, à legato hoc missum, literas regi Hispaniarum per secretarium Cerissa dedisse, quibus adventum dicti principis rescivit. Sequenti die, 18 Martii, rex salutavit illum per internuntium, petens, num suæ celsitudini luberet agnosci, et palam honorari, ut decebat. Respondit, cupere differri in aliquot dies; sed rogare, ut quoquo modo daretur sibi facultas videndi Infantam quamprimùm, sine necessitate tamen se dandi conspiciendum populo. Itaque post meridiem, rex simul cum infantâ in pratum se contulerunt (vocant el Prado). Illic in certo loco, ita ut constitutum erat, utraque rheda regis et principis sibi occurrerunt pedetentim, sed, contra præscriptum ordinem, se salutaverunt. Vidit infantam princeps, et regi huic scripsit, se nihil pulchrius vidisse. Ardet et deperit illam. Utinam hic amor sit irritamentum alterius majoris, divini et cœlestis, quo respublica christiana hîc postliminiò restituatur. Tertiâ die, 19 Martii, rex et princeps iterùm, ex condicto, illùc convenerunt, ubi, humanissimè salutati, currum regium conscenderunt, rege principem cogente primos honores accipere. Post integram horam colloquii, quisque seorsim penes se rediit.

Hæc sunt quæ hactenùs scimus. Discesserunt hinc (nisi aer contrarius obstiterit) in Hispaniam officiarii et domestici principis, numero centum et novem personæ: inter illos, milord Cary, camerarius, et milord Baham œconomus, et duo alii barones, et duo ministri, ne illos

inter viros insignes omittam. Tulerunt cappas clericales optimas, calices, et alia ad sacrificium; multa volumina liturgiæ Anglicanæ, quibus fortè (ridendi profectò) sperant, se gentem illam inescaturos. Credunt, proculdubiò, se illic eum concursum habituros in sacris suis (si Diis placet), quem hìc nos in nostris. Camerarius principis fert illuc uniones majores hujus coronæ, adamantes, et alia id genus, infantæ danda, cujus (*quorum*) valor est maximus.

E Galliâ scimus, regem iniquiori animo, nec ad dissimulandum satis modesto, tulisse transitum principis per regnum suum, imò, conatum fuisse illum remorari; sed tardiùs rem agnovit: parùm tamen abfuit, quin mandatum hoc ad fines Galliæ satis tempestivè pervenerit. Quòd si ita contigisset, culpandus fuerat princeps, qui æquo ampliùs se Parisiis detinuerat, ut aulam, regem, et reginam videret, quod patri plurimùm displicuit.

Cæterùm omnia hìc pacata sunt in publico (ne quicquam de insolentiâ multorum Puritanorum dicam), præterquam, quòd heri hîc rescitum fuerit, centum et viginti naves Hollandicas hîc in vicino esse, apud insulam de Wight. Quod ubi rescivit secretarius Calvert, misit nuntium regi, et simul ad dictas naves misit exploratores. Multî metuunt, ne aliquid in favorem Palatini hîc moliantur. Brevi sciemus.

A quinque diebus accepit hic rex literas à Cæsare; quarum exemplar, si possibile sit transcripsisse, hîc includam; quia ex eis erit videre, quid actum et agendum sit in imperio circa Palatinum. Sed ea ne cuiquam communicentur (propterea quòd domino legato hâc conditione ostensæ sint), nisi fortè amicis, ut domino præposito Harlæo cui copiam videndi des velim, una cum his literis, ut perissologiam vitem, et festinationi indulgeam. Illustrissimum et reverendum patrem Rudisindum, dominum vice-præsidem, et dominum Farrarum tecum eosdem duco. Rex hodie venturus est à Newmarket in Theobalds. Crastinâ die dominus Bosquot iturus est illuc, veniam redeundi Bruxellas petiturus. Certè parùm obtinuit circa negotia legationis suæ; et pauciora quàm quæ, nomine hujus regis, infantæ nuper obtulerunt: auditâ enim translatione electoratûs in Bavarum, omnia retractavit, præterquam quòd urbem de Frankendal in manibus dictæ infantæ ad octodecim menses deponat.

Ad res catholicorum quod attinet, judices hujus regni solito ampliùs sævire incipiebant, à discessu principis; sed eorum insolentiam, non sine labore, et domini cancellarii benigno favore, repressimus. Ministri verò è suggestu in has nuptias, et iter principis, insolenter invehuntur; nec valet illos continere exemplum quorundam in carceres conjectorum. Ita spiritu Christi ducuntur!

Heri, literas à patre magistro de la Fuente accepi, quibus agnoscit affectum et devotionem meam in clerum; de rebus cleri verò nihil scribit. Sed hodie alias ab ipso, et domino Johanne Benetto, misi domino Edwardo fratri, in quibus multa fore confido. Jam respondi de P. Magistro, id ipsum de ipso testatus, quod ipse de me; et animum addo, ut indies magis ac magis clero huic desolato serviat. Scribit dispensationem esse datam a sanctissimo. Hæc sunt, quæ modo occurrunt. Alia singulis septimanis, Deo favente, scribam; licet rudi calamo. Elegantiam non affecto, sed verum amorem et facilem correspondentiam. His nemo me prior futurus est. Vale, reverende domine, et domine vice-præses, et domine Farrare; et amate collegii istius amantissimum cultorem,

Reverende et eximie domine,

T. R. observantissimum,

F. P. Carondelet.

P.S. In reditu meo, inveni hìc literas R. T.; et conclusum esse a legatis, ne literæ tuæ regi darentur, propterea quòd suæ majestati abundè satisfactum erat de tuâ sinceritate[1]. Literæ vero visæ sunt discretissimæ; sed tamen in illis rex facillimè irritatur. Submisi judicium meum. Dominus legatus commisit mihi, ut tibi circa hoc negotium scriberem literas, ab ipso subsignandas. Erit alterius nuntii onus. Salutat te jam dominus legatus summo affectu, agnoscens benevolentiam vestram, quam illi testatus sum.

Londini, 8 Aprilis 1623.

No. LIII.—(*Referred to at page* 134.)

*** *Prince Charles to the Pope. June* 20, 1623.

[Hardwick Papers, i. 452.]

Sanctissime Pater,

Literas sanctitatis vestræ, vigesimo Aprilis, 1623, datas, tantâ animi gratitudine et observantiâ accepimus, quantâ cum benevolentiâ pioque affectu videntur exaratæ: nobisque imprimis grata fuere illa, quibus uti placuerit sanctitati vestræ, incitamenta, à nunquam satis laudatis nobilissimorum majorum nostrorum exemplis petita, qui anteactis sæculis nunquam parati extitere ad vitæ capitisque discrimen adversus hostes, Christi nomini infestos, ultrò subeundum, quò sacrosanctum ipsius cultum latiùs propagarent, quàm nos hoc tempore (quo inveterata Satanæ, discordiarum patris, malitia obtinuit tantùm, ut dissidia admodùm infelicia, inter illos ipsos qui religionem christianam profitentur, longè latèque disseminaverit), ad omnem opem atque ope-

[1] [The subject and occasion of the letter, here alluded to, will be mentioned in the life of Kellison.—*T.*]

ram sedulò adhibendam, ut ecclesia Dei aliquando reconcilietur, atque ad pristinam pacem et unitatem denuò reducatur: quod pro primo semper gradu ac passu tantique momenti esse habuimus, ut vel maximè conferat ad sacrosanctum Domini et Salvatoris nostri Jesu Christi nomen ac gloriam feliciùs in terris promovendum: quod non minori nobis honori futurum ducemus, progenitorum nostrorum vestigiis prementes, in tàm piis et religiosis susceptis eorundem imitatores extitisse, quàm ab iisdem genus nostrum et originem deduxisse: ad quod nos plurimùm hortantur præcepta domini nostri regis, ac patris mei propensio, et vehemens admodùm quo flagrat desiderium huic tàm sancto operi manum porrigere auxiliatricem; necnon intimus animi dolor, quo commovetur, dum secum contemplatur deplorandas strages et calamitates, quæ a simultatibus et dissentionibus inter principes christianos exortis passim producuntur. Nec illud porrò judicium, quod sanctitati vestræ visum est facere de eo, quòd nos tenemur desiderio cum principe catholicâ Romanâ matrimonium contrahendi, a sanctitatis vestræ sapientiâ atque charitate dissonum omninò est aut alienum, si quidem, uti à sanctitate vestrâ ritè observatum est, vix aut ne vix quidem tanto, quo fruimur, studio cuperemus tàm arcto et indissolubili propinquitatis vinculo cum cujusdam personâ conjungi, cujus religionem odio et detestationi haberemus. Sed sanctitas vestra hoc sibi persuasum habeat, eam nostram esse, semperque imposterùm futuram, moderationem, ut non solùm quàm longissimè à nobis suspicionem omnem removebimus, atque ab omni demùm actu temperabimus, qui aliquam præ se speciem ferat nos à Romanâ catholicâ religione abhorrere, sed omnes potiùs captabimus occasiones, quò leni benignoque rerum processu sinistræ omnes suspiciones è medio penitùs tollantur; ut, sicut omnes unam et individuam Trinitatem, et unicum Christum crucifixum publicè profitemur, ita in unam tantummodò fidem, in ecclesiam unam unanimiter coalescamus. Quod ut effectum demus labores omnes et vigilias, et quodcumque itidem periculum quod indè rebus nostris aut personæ poterit imminere, si facto opus erit, parvi pendemus. Quod reliquum est, sanctitati vestræ gratias, quas possumus maximas, pro literis vestris, quas insignis muneris loco habemus, referentes, sanctitati vestræ prospera omnia, æternamque felicitatem comprecamur.

No. LIV.—(*Referred to at page* 134.)

Archbishop Abbot to King James. 1623.

[Prynne, 39, 40. Rushworth, i. 85.]

May it please your Majesty,

I have been too long silent, and am afraid, by my silence, I

have neglected the duty of the place, it hath pleased God to call me unto, and your majesty to place me in. But now I humbly crave leave, I may discharge my conscience towards God, and my duty to your majesty: and, therefore, I beseech you, sir, give me leave, freely to deliver myself; and then let your majesty do with me what you please. Your majesty hath propounded a toleration of religion: I beseech you, sir, take it into your consideration, what your act is, what the consequence may be. By your act, you labour to set up that most damnable and heretical doctrine of the church of Rome, the whore of Babylon. How hateful will it be to God, and grievous unto your good subjects, the true professors of the gospel, that your majesty, who hath often disputed, and learnedly written, against those wicked heresies, should now shew yourself a patron of those doctrines, which your pen hath told the world, and your conscience tells yourself, are superstitious, idolatrous, and detestable! Add hereunto what you have done, in sending the prince into Spain, without the consent of your council, the privity and approbation of your people. And though you have a large interest in the prince, as the son of your flesh, yet have the people a greater, as the son of the kingdom, upon whom (next after your majesty) their eyes are fixed, and welfare depends. And so tenderly is his going apprehended, as, believe it, sir, however his return may be safe, yet the drawers of him to that action, so dangerous to himself, so desperate to the kingdom, will not pass away unquestioned, unpunished. Besides, this toleration, which you endeavour to set up by your proclamation, cannot be done without a parliament, unless your majesty will let your subjects see, that you will take unto yourself a liberty to throw down the laws of the land at your pleasure. What dreadful consequences, sir, these things may draw after, I beseech your majesty to consider; and, above all, lest, by this toleration, and discountenancing of the true profession of the gospel, wherewith God hath blessed us, and under which this kingdom hath so many years flourished, your majesty do not draw upon the kingdom in general, and yourself in particular, God's heavy wrath and indignation. Thus, in discharge of my duty towards God, to your majesty, and the place of my calling, I have taken humble boldness to deliver my conscience. And now, sir, do with me what you please.

No. LV.—(*Referred to at page* 136.)

*** *Cardinal Ludovisio to the nuncio Massimi, April* 18, 1623. *Secret.*

[Barberini MS. vol. 2. cap 6.]

Le lettere di V. S. del primo di Aprile, giuntemi oggi col corriere

espresso, speditomi intorno al negozio della dispensa, mi hanno apportato grandissimo dispiacere, veggendo che quanto più io mi studio e mi fatico, per servire a sua maestà cattolica, ed al signore conte d'Olivarez, tanto meno ho ventura di secondare il loro gusto: ed Iddio sà con che zelo, con quale affetto, e con quanta sincerità d'animo, ho proceduto in negozio tanto importante: ma io veggo che mi bisognerebbe più tosto esser indivino che prudente, e più fortunato che accorto. Mi significò gia V. S. che, intorno a ciò, mi sarebbero venuti dispacci contrarj; ma io non gli ho mai veduti, benchè ho raccolto da altre lettere sue, che, anzi che nò, si dovesse avere cara costì la concessione della dispensa; e questa è stata la prima e principal cagione che mi ha spinto a sollecitar il negozio: che se voi non avete scritto più chiaro, o quì non si è potuto intender meglio la volontà vostra, io non sò che me ne dire, se non replicare, che, per servire a grado, convien avere più ventura che senno: La seconda ragione, che mi ha sollecitato alla spedizione del negozio, è stata la venuta costà del principe d'Inghilterra, perchè, dubitando che cotesta maestà non fosse per trovarsi impegnata, avendolo in casa, ho giudicato esser meglio che sia in podestà sua il far ciò che le piace, che l'aver ad attender di quà, in caso di bisogno, la risoluzione: E, nel terzo luogo, mi ha mosso la diligenza del duca d'Albuquerque, col spedir di quà un corriere, e mandar certe condizioni raccolte non sò donde; temendo io che talvolta non si facesse alcun fondamento sopra di esse, e che non s'impegnassero cotesti ministri più oltre di quello che convenisse: Ed ultimamente non è stato da disprezzare il pensiero, nel quale si è posta questa corte, credendoli più che, se fosse venuto il colpo alli medesimi ministri di stabilir, con gran vantaggio, il matrimonio, non fossero per lasciarlo passare, senza conchiuderlo; la qual cosa, seben da noi non veniva in maniera veruna creduta, nondimeno era savio consiglio il porger orecchio ai pareri altrui, ed il prevenire qualunque pericolo. Io spedii adunque a V. S. un corriere, che partì la notte del 12 di questo, con la dispensa, e tutto lo spaccio ad essa appartenente; ma venne in guisa, che se ne possono valere, o non valere, come essi vogliono. E prima si ordinò a V. S., che la tenesse celata, se così fosse piaciuto al signore conte d'Olivarez, o si fosse potuto fare convenevolazione: ma perchè, alla fine, quì si sà che la dovevamo inviare, o che l'abbiamo mandata, e Giorgio Gaggi che l'ha sollecitata, e forse anche il P. Fra Diego della Fuente, n'avranno dato conto al rè d'Inghilterra, perci stimiamo che non convenga di negare, nè a noi di averla mandata, nè a V. S. di averla ricevuta; ma ch'ella possa e debba far tutte le difficoltà che si stimeranno convenevoli, intorno alle condizioni, le quali a niuno si sono comunicate; e si è fatto a posta,

acciochè da lei si cerchi d'avantaggiarle, quanto più si potrà. Onde avrà V. S. il modo di tirare alla lunga il negozio, a compiacimento di sua maestà, e di avanzarle, conforme al vostro desiderio, a beneficio della religione cattolica: ed a questo fine, perchè non le manchi alcuna cosa da mostrare, le invio l'aggiunta lettera ostensibile, fatta sotto l'istessa data delli 12, nella quale si richiede per condizione la pubblica libertà di conscienza, e di più si desidera ardentemente la conversione del principe; acciochè se ne serva con avveduta opportunità: avvertendo che non si può domandare per condizione della medesima dispensa la conversione sopradetta; perchè ogni volta che divenisse cattolico, cesserebbe incontanente il bisogno di essa: laonde si ha di richiedere che si converta, non per dar la dispensa, ma perchè non ne habbia bisogno. Ed alla persona, che vien quà con lettere del signor conte d'Olivarez, si responderà che la dispensa si è mandata in mano di V. S., ma con le tali condizioni, esprimendo le più gravi; ovvero se gli dirà in generale, con le condizioni, che a lei abbiamo imposte di procurar di ottenere, come apparisce dalle lettere che l'abbiamo scritte, e che però a V. S. ci rimettiamo. Ecco dunque a V. S. il modo di condurre la cosa, come parerà meglio à sua maestà, e di fare ad onore e servigio di Dio, e della religione cattolica. E certamente mi sembra che sia stato il tutto dalla divina providenza disposto, perchè in tal maniera non si può dire che noi l'abbiamo negata, onde sia il rè d'Inghilterra per accrescerci l'odio, e per travagliar i cattolici, nè che sua maestà non voglia tirar la coza innanzi; ma solo rimarrà a carico degl' Inglesi il far la risoluzione, i quali se condiscendessero a quello che si dimanda, non sarebbe certo da porvi niuna difficoltà di mezzo.

Io conchiudo che V. S., e nell' istruzzione, ed in una o due lettere a parte, tiene da me ordine di avvantaggiare quanto potrà il più le condizioni, e sopra tal fondamento può fare quante difficoltà saranno ragionevoli, e di più se le mando la lettera sopradetta, che ne le allargherà il campo. Ben si brama che V. S. si ponga, con ogni studio, a procurar la conversione del principe; che questo sarà il maggior colpo ch' ella possa fare, a suoi dì, e la maggior gloria cristiana che possa acquistare; lodando, intanto, ogni diligenza ch' ella ha cominciato ad usarvi. Ed il Signore Dio lo conservi felice. Roma, li 18 Aprile, 1623.

*** *The same to the same. Antedated April* 12, 1623. *Ostensible.*

[Barberini MS. ibid.]

Considerando nostro signore quanto sia grave il negozio della dispensa fra la serenissima infanta, D. Maria, sorella di cotesta maestà, ed il principe di Vuallia, ed essendo l'esempio tanto insolito, che, fra

mille avvenimenti del mondo, niun' altro se ne ritrova somigliante, ha giudicato fermamente non potersi, nè doversi concedere, senza una causa grande. Ma niuna causa è assai grande, se non risguarda al beneficio notabile della religione cattolica nella Gran Bretagna; e questo beneficio delle condizioni, a noi presentate, a sufficienza non apparisce, perchè alcune di esse, che devono esser pubbliche, risguardano solamente la persona della stessa infanta, e de' figliuoli che fossero per nascere, e de' servitori suoi; ma l'altre, da tener segrete, sono molto limitate e ristrette; sicchè niuno o picciol giovamento sono loro per apportare, e tanto meno che, non venendo confermate dal consiglio reale, nè dal parlamento, il rè potrà sempre scusarsi, se non le fa osservare; recandone ad altri la colpa, e specialmente al timore de' puritani; e chiudendo gli occhi a tutte le persecuzioni, che i poveri cattolici ne patiranno, eziandiò che non esercitino la religione cattolica se non nelle case loro in privato. Dunque sarebbe necessario che a tutti li medesimi cattolici, suoi sudditi, il rè concedesse il libero esercizio della religione cattolica Romana, e la pubblica libertà di coscienza; e che la concessione sua fosse e dal consiglio e dal parlamento approvata. Per la qual cagione mi ha ordinato sua santità di significare a V. S., da sua parte, ch' ella non consegni il breve della dispensa al rè cattolico, se sua maestà non ottiene dal rè della Gran Bretagna, coll' obbligo ancora del principe suo figliuolo, e coll' approvazione de' nominati consiglio e parlamento, ch' egli conceda la pubblica libertà di coscienza ai cattolici suoi sudditi, nel modo sopradetto; e se non avrà le promesse di sua maestà cattolica sopra di ciò fatte, a suo nome, e de' suoi successori, a sua santità, ed a questa santa sede, con giuramento, nella maniera espressa a V. S. con altre. Ma oltre a tutto ciò, ardendo sua santità di zelo della salute del principe di Vuallia, et della maggior sicurezza di quella della serenissima infanta, commette a V. S. che ponga in considerazione a sua maestà, che, per fuggire questo esempio insolito della dispensa, e per assicurare maggiormente la salute eterna della sorella, e la propria riputazione dal pericolo del ripudio, dopo aver conseguito quanto di sopra si è detto a favore de' cattolici, dovrà fare ogni sforzo per la conversione del principe; senza la quale non vorrebbe sua santità che, se fosse possibile, il matrimonio in niuna maniera si facesse. Certo, ella ne prenderà la maggior allegrezza e consolazione, che di cosa di questo mondo sua santità possa ricevere; e riputerà solamente per questo capo il suo pontificato felice. Ed a V. S. conceda il Signore Iddio ogni prosperità maggiore. Di Roma, 12 Aprile, 1623.

No. LVI.—(*Referred to at page* 139.)

*** *Secretary Conway to the duke of Buckingham, July* 17, 1623.

[Original in the Harleian MSS. 1580, fol. 367.]

Most gracious patron,

I am commanded by his majesty, for the shortening of his labour, to signify unto your grace that his highness may so be informed of the great strait and distress his majesty was in, upon the receipt and consideration of the articles brought by Mr. Killigrew, upon three points :—

1. The perpetuity of time for the abrogation of all laws concerning the Roman catholics, in no time to be renewed against them, nor any other to be raised in their place, upon any occasion.

2. His majesty must do his best that the articles in favour of the Roman catholics must be confirmed by parliament, within three years infallibly, and sooner, if the constitution of affairs would permit it.

3. The council's oath.

In the first his majesty foresaw an infinite liberty, a perpetual immunity granted to the Roman catholics, which if it should bring them to a dangerous encrease, or encourage them to the acting of insolencies, his conscience opposeth his wisdom of government, and his sovereignty runs a danger.

Touching the parliament, his majesty saw it impossible for him to effect ; neither did his affection and reason incline to exercise his power that way, if it were in his hand.

And for the council's oath, as his acts had not need of their fortification, so might his honour and the cause receive prejudice by their refusal.

But that, which pinched and perplexed most, was, that this was not now a free and entire cause : but his majesty's power was given to the prince, according to which power his highness had concluded these articles; so as now it went upon the honour of his majesty and the prince, and perhaps upon the liberty and power of his highness's return, and safety of his person.

These tender considerations of honour, surety of his estate, fatherly love, and conscience, his majesty debated, some days, with as much wisdom, natural affection, courage, and piety, as became a great, wise, religious king, and tender loving father. And, in conclusion, having often honoured secretary Calvert, Cottington, and myself, with the hearing of his wise apprehensions and deliberations, in and about his great perplexity, his majesty resolved to call to him some of the most

eminent of his council, whose names are here enclosed, that he might open himself to them, receive advice or confirmation, or at least take, by those leading voices, a measure of the judgments and affections of the rest. Without flattery, I speak the truth before God, those counsellors assembled, on Sunday, at Wanstead ; his majesty made the most serious (I may say, the most sad), fatherly, kind, kingly, wise, and pious, manly, stout speech that ever I heard, which no man can repeat or relate without blemishing, but himself. But this effect it wrought,—all the lords were of opinion that his highness's words and articles must be made good ; that the oath by the council must be taken ; and, with one voice, gave counsel (as without which nothing could be well) that the prince must marry, and bring his lady away with him, this year, this old year ; or else the prince presently to return without marriage or contract ; leaving both those to be accomplished by the usual forms.

My master having honoured me with his commandments, in the train and shadow of that I presume to convey, by your Grace, to his highness, as humble thankfulness as my poor heart is capable of, &c.

Your Grace's most humble servant,

Theobalds, 17 of July, 1623. EDW. CONWAY.

*** *James's Protestation on the Subject of the Articles for the Spanish Match. July*, 1623.

[Prynne's Hidden Works of Darkness, 47.]

Whereas his majesty obligeth himself by oath, that no particular law now in force against the catholics, to which the rest of his subjects generally are not liable, nor any general laws which may concern all his subjects equally and indifferently, being such nevertheless as are repugnant to the Roman religion, shall be executed, at any time, as to the said Roman catholics, in any manner or case whatsoever, directly or indirectly : and that his majesty shall cause the lords of his privy council to take the same oath, in so much as concerns them, or the execution of the laws afore mentioned, so far forth as appertains unto them, or any officers or ministers under them :

And whereas further his majesty obligeth himself by the oath, that no other laws shall hereafter be enacted against the said Roman catholics, but that a perpetual toleration to exercise the Roman catholic religion within their private houses shall be allowed unto them, throughout all his majesty's kingdoms and dominions, that is to say, as well within his kingdoms of Scotland and Ireland, as of England, in manner

and form as is capitulated, declared, and granted in the articles concerning the marriage :

His majesty intendeth really and effectually to perform what he hath promised, touching the suspension of laws against his Roman catholic subjects, but with this protestation,—that, if they shall insolently abuse this his majesty's high grace and favour, to the danger of embroiling his state and government, the safety of the commonwealth is, in this case, *suprema lex*, and his majesty must, notwithstanding his said oath, proceed against the offenders, yet so as that, before he do it, the king of Spain and all the world shall see he hath just cause.

And whereas also his majesty obligeth himself by the like oath, that he will use his power and authority, and procure, as much as in him lies, that the parliament shall approve, confirm, and ratify all and singular the articles agreed upon betwixt the two kings, in favour of the Roman catholics, by reason of this match, and that the said parliament shall revoke and abrogate all particular laws, made against the said catholics, whereunto the rest of his majesty's subjects are not liable ; as also all other general laws, as to the said Roman catholics, which concern them together with the rest of his majesty's subjects, and be repugnant to the Roman catholic religion ; and that hereafter his majesty shall not give his royal assent, at any time, unto any new laws that shall be made against the said Roman catholics,—his majesty hath ever protested, and doth protest, that it is an impossibility which is required at his hands, and that he may safely, and will, swear it ; for he is sure that he is never able to do it.

And, last of all, his majesty protesteth that this, which he now undertakes to do, and is sworn, is merely in respect and favour of the marriage intended betwixt his son and the infanta ; and, unless the same do proceed, he doth hold himself, and so declareth by this protestation, acquitted and discharged in conscience of every part of his oath now taken, and that he is at full liberty to deal with his Roman catholic subjects, according to his own natural lenity and clemency, and as their dutiful loyalty and behaviour towards his majesty shall deserve.

The Articles for the Spanish Match, as adopted and sworn to by king James and his council, July 20, 1623.

[Prynne's Hidden Works of Darkness, 40, and MS. in my possession.]

Nos, Jacobus, Dei gratiâ Angliæ, Scotiæ, Galliæ, Hiberniæ, etc. Rex. Relatione atque notitiâ hujus instrumenti atque scripturæ obli-

gationis, confirmationis, ratificationis, et novi contractûs, atque ad perpetuam ejus memoriam, notum facimus et manifestum omnibus regibus, principibus, potentatibus, rebuspublicis, communitatibus, universitatibus, et privatis personis, cujuscunque statûs et conditionis sint, et in perpetuum fuerint, quemadmodum, ad gloriam et honorem Dei, cum maximè optaremus ut novis strictioribusque amicitiæ nexibus consanguinitatis et affinitatis vincula, quæ nos et serenissimum Carolum, Walliæ principem, nostrum charissimum atquę amantissimum filium unicum, cum serenissimo principe Philippo quarto, catholico Hispaniæ etc. rege, conjungunt, constringantur arctiùs et confirmentur, atque ut in nobis successoribusque nostris fraternitatis concordia, et inter utramque coronam mutua benevolentia, ad majus utriusque bonum et felicitatem, concilietur, stabiliatur, atque permaneat, actum est et agitur de matrimonio contrahendo, inter prædictum serenissimum Walliæ principem, et serenissimam infantam Mariam, catholicæ serenitatis sororem : ad cujus rei tractatum et conclusionem, prædictum serenissimum principem, filium nostrum, ad regem Hispaniarum et regiam misimus, ubi nunc reperitur : inter quem, pro se et pro nobis, et nostro nomine, una cum Georgio Villersio, Buckinghamiæ duce, maris Anglicani præfecto, garterii ordinis periscelidi insigni, a consilio nostri statûs, et nostri equitis præposito, tum etiam Joanne Digbeio, Bristoliæ comite, vice-camerario hospitii nostri, et nostri statûs consiliario, et Gualtero Astone, nostris apud catholicum serenitatem oratoribus, ordinario et extraordinario, Francisco adhuc Cottintone, baronetto, præfati filii nostri secretario, ut virtute præscripti atque instructionis quam a nobis habuerunt et habent, ut omnibus necessariis ad dictum matrimonium tractandum et conficiendum intersint ; et, ex alterâ parte, inter serenitatem catholicam, pro se, et tanquam fratre et legitimo administratore prædictæ serenissimæ infantis Mariæ, et de ejusdem voluntate et consensu, commissionarios etiam ad idipsum designatos Joannem Mendozam et Lunam, marchionem Montium Clarorum, et Castelli Barbellæ marchionem, a consiliis statûs et belli serenitatis catholicæ, et Didacum Sarmiento de Acuna, comitem Gondomar, a prædictis Consiliis, una cum Joanne de Ciriça, etc.—hi omnes, communi consensu atque judicio in aliquot capitulationes et conditiones, ad rem terminandam et absolvendam accommodatas, quæ sic se habent, convenerunt :—

1°. Quòd matrimonium perficiendum est per dispensationem sanctissimi domini papæ ; sed hæc per operam catholici regis habenda est.

2°. Quòd matrimonium semel tantùm celebrandum est in Hispaniâ, et in Angliâ ratificari debet, in formâ sequente :—Manè, postquam serenissima domina infans devotiones suas in capellâ absolverit, ipsa et

serenissimus princeps Carolus, in capellâ regiâ, seu in aliquâ palatii aulâ, ubi magis expedire visum fuerit, conveniant, ibique procurationes omnes, quarum virtute matrimonium in Hispaniâ fuerit celebratum, legantur ; et tàm serenissimus princeps, quàm serenissima infans, præfatum matrimonium, in Hispaniâ celebratum, ratum habeant, cum omni solemnitate ad hujusmodi actum necessariâ ; modò tamen nulla cæremonia seu res aliqua interveniat, quæ religioni catholicæ apostolicæ Romanæ contradicat.

3°. Quòd serenissima infans servos et familiam pro suo servitio convenientem secum deferat ; quam familiam et personas omnes ad illam attinentes eliget et nominabit catholica serenitas, modò nullum servum nominaverit, qui sit vassallus regis Magnæ Britanniæ, sine suâ voluntate et consensu.

4°. Quòd tàm serenissima domina infans, quàm servi et universa ejus familia, habebunt, liberum usum et publicum exercitium religionis catholicæ, in modo et formâ prout infrà capitulatum est.

5°. Quòd habebit oratorium et capellam decentem in suo palatio, ubi missæ pro libito serenissimæ infantis celebrari possint ; et similiter Londini, et ubicumque morabitur, ecclesiam publicam et capacem habebit prope palatium, ubi omnia officia solenniter celebrentur, cum cœmeterio, et omnibus aliis necessariis pro publicâ verbi Dei prædicatione, et omnium sacramentorum ecclesiæ catholicæ Romanæ celebratione et administratione, proque sepeliendis mortuis, et baptizandis parvulis : et quòd præfatum oratorium, capella, et ecclesia, cum tali decentiâ ornabuntur, quæ serenissimæ infantæ conveniens videbitur.

6°. Quòd servi et servæ serenissimæ infantis, et servi servorum, eorumque filii et descendentes, ac familiares omnes quomodocumque suæ celsitudini inservientes, valeant catholici esse liberè et publicè.

7°. Quòd serenissimæ infantis servi et familiares prædicti valeant catholici esse, in formâ sequente.

8°. Quòd serenissima infans habeat in palatio suum oratorium, et capellam ita capacem ut dicti servi et familiares, ut suprà, possint intrare et commorari in illâ : in quâ una sit porta publica et ordinaria pro illis, et altera interior, per quam serenissima domina infans habeat ingressum in dictam capellam, ubi ipsa et alii, ut suprà, divinis officiis interesse possint.

9°. Quòd oratorium, capella, et ecclesia publica ornentur cum decenti ornatu altarium, et aliarum rerum, quæ necessariæ sunt pro cultu divino, qui in illis secundum ritum sanctæ Romanæ ecclesiæ celebrandus est ; et quòd dictis servis et aliis, ut suprà, licebit se conferre ad dictas capellam et ecclesiam, omnibus horis, prout illis videbitur.

10°. Quòd cura et custodia dictarum capellæ et ecclesiæ erit penes eos qui deputabuntur a serenissimâ dominâ infantâ, cui licebit constituere custodes, ne quis possit intrare ad faciendum quid indecorum.

11°. Quòd ad administrandum sacramenta, et serviendum in capellâ et ecclesiâ prædictis, viginti-quatuor sacerdotes et assistentes nominabuntur, qui per hebdomadas aut menses, prout serenissimæ infantæ visum fuerit, inservient ; et eorum electio ad præfatum serenissimum regem catholicum et serenissimam infantem attinebit, modò non sint vassalli regis Magnæ Britanniæ ; aut, si fuerint, ejus voluntas et consensus præcedat.

12°. Quòd sit unus minister in ordine episcopali constitutus superior, cum authoritate necessariâ ad omnes casus qui acciderint spectantes ad religionem ; et, episcopo deficiente, illius vicarius eandam habeat authoritatem et jurisdictionem.

13°. Quòd iste episcopus et minister superior poterit corrigere, emendare, et castigare catholicos qui deliquerint, et in illos omnem jurisdictionem ecclesiasticam exercere : et, ultra hoc, poterit etiam serenissima infans illos de servitio suo abdicare, quando illi visum fuerit.

14°. Quòd dictus superior, in ordine episcopali constitutus, vel ejus vicarius, poterit servos et alios, ut suprà, ecclesiasticos punire, juxta leges et pœnas ecclesiasticas, et illos etiam serenissima domina infans a suo servitio abdicare.

15°. Quòd licebit serenissimæ dominæ infanti, et servis, ut suprà, adquirere Romæ dispensationes, indulgentias, jubilæos, et omnes gratias quæ videbuntur religioni et conscientiis suis competere, et undecumque libros quoslibet catholicos sibi comparare.

16°. Quòd servi et familiares serenissimæ dominæ infantis, qui in Angliam migrabunt, suscipient juramentum fidelitatis regi Magnæ Britanniæ, modò nulla sit clausula neque verbum quod contradicat religioni Romanæ aut conscientiis catholicorum ; et, si fortè sint vassalli regis Magnæ Britanniæ, idem juramentum suscipient quod Hispani, utrique in sequente formâ :—

Ego, N., juro et promitto fidelitatem serenissimo Jacobo, Magnæ Britanniæ regi, et serenissimo Carolo principi Walliæ, et Mariæ Hispaniarum infanti, quam firmiter et fideliter observabo : et si quid contra personas, honorem, et dignitatem regiam præfatorum regis et principum, statumve et commune bonum regnorum intentari cognovero, statim renunciabo dictis domino regi et principibus, aut ministris ad id constitutis.

17°. Quòd leges quæ sunt vel erunt in Angliâ et aliis regnis, spec-

tantes ad religionem, dictos servos et alios, ut suprà, laicos non attingent, qui tùm legibus, tùm pœnis, contra transgressores earum impositis, erunt exempti : et contra ecclesiasticos solummodò eorum superior ecclesiasticus catholicus procedere valeat, prout apud catholicos fieri consuevit. Quòd si judex aliquis sæcularis ecclesiasticum virum comprehenderit propter aliquod delictum, hoc faciet ut [comprehensum] prædicto suo superiori ecclesiastico statim tradat et remittat, qui contra illum juxta canones et regulas juris procedat.

18°. Quòd leges contra catholicos, latæ, vel ferendæ, in Angliâ et aliis regnis regi Magnæ Britanniæ subjectis, non attingent liberos ex hoc matrimonio oriundos, qui liberè jure successionis in regnis et dominiis Magnæ Britanniæ fruentur.

19°. Quòd nutrices, quæ lactabunt liberos serenissimæ dominæ infantis, catholici valeant esse ; earumque electio ad præfatam dominam infantem spectabit, sive sint ex natione Anglicanâ, sive ex aliâ quâcumque, prout serenissimæ infanti placuerit ; et familiæ suæ annumerabuntur, ejusque privilegiis gaudebunt et potientur.

20°. Quòd episcopus, personæ ecclesiasticæ et religiosæ ex familiâ dominæ infantis, poterunt retinere vestitum et habitum suæ dignitatis, professionis, et religionis, more Romano.

21°. Pro securitate quòd dictum matrimonium nullatenùs, aliquâ ex causâ, dissolvetur, rex Magnæ Britanniæ et Carolus princeps verbo regio pariter et honore astringendi sunt : præstabunt insuper quicquid a rege catholico propositum fuerit, si tamen decenter et commodè fieri possit.

22°. Quòd filii et filiæ, qui ex hoc matrimonio nascentur, penes serenissimam infantem, ut minimum ad decennium, educabuntur, et liberè jure successionis in prædictis regnis, ut dictum est, fruentur.

23°. Quòd quomodocumque locos servorum et servarum, quos serenissima domina infans secum attulerit, nominatos per regem catholicum, fratrem suum, vacare contigerit, sive per mortem, sive per absentiam, sive ex aliquâ aliâ causâ seu accidente, subrogentur alii per dictum regem catholicum.

24°. Pro securitate quòd totum ut capitulatum est compleatur, rex Magnæ Britanniæ et serenissimus Carolus princeps juramento obstringendi sunt, et omnes consiliarii regis tractatum chirographo firmare debent : item prædicti rex et princeps fidem daturi sunt, se facturos quod possibile est, ut omnia suprà capitulata per parlamentum stabiliantur.

25°. Quòd, conformiter ad ea quæ tractata sunt, omnia ista proponenda et exponenda sunt sanctissimo domino papæ, quatenùs ea appro-

bare, apostolicamque benedictionem, ac necessariam dispensationem ad effectum matrimonii concedere dignetur.

Nos tractatum prædictum, ac omnia et singula capitulata in eodem contenta ac specificata, rata et grata habentes, ea omnia et singula, ex certâ scientiâ nostrâ quatenùs nos, hæredes, vel successores nostros concernunt, approbamus, laudamus, confirmamus, et ratificamus ; et inviolabiliter, firmiter, benè, et fideliter tenere, observare, perimplere, tenerique, observari, et perimpleri facere cum effectu, bonâ fide, in verbo regio promittimus per præsentes, omni exceptione seu contradictione cessante ; eademque in præsentiâ illustrium et nobilium virorum, Joannis de Mendoza et Caroli Colonna, serenissimi regis catholici oratorum in curiâ nostrâ residentium, sacrosanctis evangeliis per nos tactis, jurejurando firmamus, non obstantibus quibuscumque opinionibus, sententiis, aut legibus in contrarium. In quorum omnium et singulorum præmissorum fidem ac testimonium, hisce articulis, manu nostrâ subscriptis, magnum sigillum nostrum apponi fecimus, præsentibus reverendissimo in Christo patre Georgio, archiepiscopo Cantuariensi, totius Angliæ primate, reverendissimo in Christo patre Joanne, episcopo Lincolniensi, magni sigilli Angliæ custode, et prædictis consanguineis nostris Lionello, comite Middlesexiæ, summo thesaurario nostro Angliæ, Henrici, vicecomite de Mandeville, in concilio nostri statûs præsidente, Edoardo, comite Wigorniensi, privati sigilli nostri custode, Ludovico, duce Richmondiæ et Lenoxiæ, hospitii nostri seneschallo supremo, Jacobo, marchione Hamiltoniæ, Jacobo, comite Carlionensi, Thoma, comite de Kelleii, Oliverio, vicecomite Grandison, et reverendissimo in Christo patre Lanceloto, episcopo Wintoniensi, sacelli nostri regii decano, et prædilectis et fidelibus nostris Georgio, barone Carew de Cloptono, rei nostræ tormentariæ majoris in Angliâ præfecto, Arthuro, barone Chichester de Belfast, regni nostri Hiberniæ summo thesaurario, Thoma Edmonds, milite, ejusdem nostri hospitii regii thesaurario, Joanne Suckling, milite, ejusdem nostri hospitii contrarotulatore, Georgio Calvert, milite, uno e secretariis nostris primariis, Edoardo Conway, milite, altero e secretariis nostris primariis, Ricardo Weston, milite, scaccarii nostri cancellario et subthesaurario, et Julio Cæsare, milite, archivorum nostrorum præfecto, omnibusque a consiliis nostris sanctioribus. Datum apud palatium nostrum, Westmonasteriis, 20 die Julii, anno regni nostri Magnæ Britanniæ, etc., vigesimo primo.

Jacobus, Rex.

Private Articles sworn to by King James, July 20, 1623.

Jacobus, Dei gratiâ Magnæ Britanniæ &c. Rex.—In quantum, inter multa alia quæ in tractatu de matrimonio, inter charissimum filium

nostrum Carolum, Walliæ principem, et serenissimam dominam Donnam Mariam, serenissimi principis, et perdilecti fratris nostri, Philippi quarti regis Hispaniarum sororem, continentur, conventum est quòd nos juramento nostro approbaremus, ratosque faceremus, articulos infrà ad verbum expressos,—

1°. Quòd nulla lex particularis contra catholicos Romanos lata, sub quâ alii regnorum nostrorum vassalli non comprehenduntur, et ad cujus observationem omnes generaliter non obligantur, necnon leges generales, sub quibus omnes ex æquo comprehenduntur, modò ejusmodi sint quæ religioni Romanæ repugnent, ullo unquam tempore, ullo omninò modo aut casu, directè vel indirectè, quoad dictos Romanos catholicos, executioni mandabuntur; et efficiemus ut consiliarii nostri idem præstent juramentum, quantum ad illos pertinet, et spectat ad executionem quæ per manus eorum et ministrorum suorum solet exerceri:

2°. Quòd nullæ aliæ leges imposterùm de integro ferentur contra dictos catholicos Romanos; sed toleratio perpetua exercitii religionis catholicæ Romanæ inter privatos parietes, per omnia nostra regna et dominia (quod intelligi volumus tàm in regnis nostris Scotiæ et Hiberniæ, quàm Angliæ), iis concedetur, modo et formâ prout capitulatum, declaratum, et concessum est in articulis tractatûs de matrimonio:

3°. Quòd nec per nos, nec per aliam ullam interpositam personam, directè vel indirectè, privatim vel publicè, rem ullam cum serenissimâ dominâ infante, Donnâ Mariâ, tractabimus, quæ repugnet religioni catholicæ Romanæ; illique nequaquàm persuadebimus, ut, in substantiâ vel formâ, eidem unquam renunciet aut relinquat, aut ut agat aliquid iis, quæ continentur in tractatu de matrimonio, repugnans aut contrarium:

4°. Quòd authoritatem nostram interponemus, faciemusque, quantùm in nobis erit, ut parlamentum omnes et singulos articulos, ratione hujus matrimonii in favorem catholicorum Romanorum inter serenissimos reges capitulatos, approbet, confirmet, ratosque faciat; et ut dictum parlamentum revocet abrogetque leges particulares, contra dictos catholicos Romanos latas, ad quarum observationem reliqui item subditi et vassalli non obligantur, necnon leges etiam generales, sub quibus omnes ex æquo comprehenduntur, nimirùm, quoad catholicos Romanos, modò ejusmodi sint, uti dictum est, quæ religioni catholicæ Romanæ repugnent; et quòd imposterùm non consentiemus ut dictum parlamentum, ullo unquam tempore, alias de integro contra catholicos Romanos sanciat aut conscribat:—

Nos omnia et singula capitula præcedentia rata et grata habentes, ex

certâ scientiâ nostrâ, quatenus nos, hæredes, vel successores nostros concernunt, approbamus, ratificamus, laudamus, et inviolabiliter, firmiter, benè, et fideliter tenere, observare, et perimplere, tenerique, observari, et perimpleri facere cum effectu, bonâ fide, et in verbo regio promittimus per præsentes, omni exceptione seu contradictione cessante; eademque, sacris Evangeliis per nos tactis, firmamus, non obstantibus quibuscumque opinionibus, sententiis, aut legibus in contrarium. In præsentiâ illustrissimorum dominorum, D. Joannis de Mendoza, marchionis de Inoyosa, et D. Caroli Colonna, regis catholici legatorum extraordinariorum, Georgii Calvert, Edwardi Conway, Francisci Cottington, Francisci de Carondelet, protonotarii apostolici, et archidiaconi Cameracensis. Datum in palatio nostro Westmonasteriensi, vigesimo die Julii, anno Domini 1623, Stilo Angliæ.

JACOBUS, REX.

Oath taken by the Lords of the Council.

Ego, N., juro me debitè plenèque observaturum, quantum ad me spectat, omnes et singulos articulos, qui in tractatu matrimonii inter serenissimum Carolum, Walliæ principem, et serenissimam dominam Donnam Mariam, Hispaniarum infantem, continentur. Juro etiam quòd neque per me, neque per ministrum aliquem inferiorem mihi inservientem, legem ullam, contra quemcumque catholicum Romanum conscriptam, executioni mandabo, aut mandari faciam, pœnamve ullam, ab earum aliquâ irrogatam, exigam: sed, in omnibus quæ ad me pertinent, ordines à majestate suâ, eâ ex parte constitutos, fideliter observabo.

No. LVII.—(*Referred to at page* 141.)

*** *Treaty signed by the Prince and the King of Spain, in Madrid, August* 4, 1623.

[Barberini MS. ut sup. Tom. 2. cap. 6.]

In nomine Dei Patris, et Filii, et Spiritûs Sancti. Amen.—Philippus, Dei gratiâ Hispaniarum rex, &c., et Carolus, eâdem divinâ providentiâ Magnæ Britanniæ princeps, &c. Omnibus et singulis, cujuscumque gradûs aut dignitatis sint, hujus instrumenti tenore notum sit et manifestum, quòd, cum à multis sæculis mutua fœdera variis amoris et benevolentiæ officiis, plurium etiam affinitatum et connubiorum vinculis, continuata, non solùm inter suprà memorata nostra regna, sed etiam inter nos prædecessoresque nostros intercesserint, quæ quidem non minoribus incrementis, sed, si fieri possit, omni ævo duraturo et indissolubili nexu velimus esse perpetua; nullus verò inter mortales efficacior

illo esse videatur, qui sanguinis necessitudine initur et stabilitur; hinc est quòd, præfatorum intuitu et consideratione, è bono tàm totius christianitatis, quàm privato regnorum et provinciarum nobis subjectarum esse existimavimus arctiore conjunctionis nodo, et vinculo planè fraterno, inter nos uniri, eamque unionem matrimonio legitimo inter eundem serenissimum principem Carolum, et serenissimam Mariam Hispaniarum infantem, sororem meam charissimam, communi utriusque partis voluntate et consensu inito, confirmare; quò quidem, ad majorem Dei omnipotentis gloriam et honorem, et commune subditorum utriusque coronæ commodum, præfata fœdera, ab antecessoribus nostris compacta, et per omnes ferè ætates felicissimè conservata, commerciis quoque utrimque fomentata, inter nos hæredesque nostros propagari possint et augeri. In quo quidem matrimonio, post varios hinc indè tractatus, potissimùm nobis curæ fuit puncta quædam, religionem catholicam Romanam concernentia, ante omnia capitulare; et, ab iis sumentes exordium, sequentes articulos, multò jam ante conceptos, conclusimus, et in eos, divino Numine implorato, modo infrascripto convenimus et concordavimus.

Here follow the articles, public and private, contained in the preceding paper; after which the two contracting parties thus separately proceed:—

Præterea, ego, Carolus Walliæ princeps, spondeo (et idem serenissimum Magnæ Britanniæ regem, patrem et dominum meum colendissimum, verbo scriptoque particulari facturum promitto), quòd ea omnia, quæ in præcedentibus articulis, tàm ad suspensionem quàm ad abrogationem legum omnium in catholicos Romanos latarum spectantia, continentur, intra triennium infallibiliter effectum obtinebunt, et citiùs, si fieri possit;—quod quidem conscientiæ et honori nostro regio incumbere volumus.

Quoad decennium, educationi liberorum ex hoc matrimonio oriundorum apud serenissimam dominam infantem, matrem eorum, in articulo vigesimo secundo stipulatum, quem terminum pontifex Romanus ad duodecim cuperet prorogari, id ut fiat apud serenissimum dominum regem Magnæ Britanniæ, patrem meum, intercessurum me spondebo; ut, scilicet, ad eum terminum producatur: et ultrò liberèque promittam et jurabo, si contigerit de eâ re disponendi potestatem integram ad me devenire, eundem etiam terminum concessurum et approbaturum.

Porrò, fide datâ, ego, Walliæ princeps, me obstringam regi catholico, quòd quoties serenissima domina infans requisiverit ut theologis, aliisve, quos serenissimæ celsitudini suæ in materiâ religionis catholicæ

Romanæ adhibere placuerit, aures privatim præbeam, illos, postpositâ omni excusatione, libenter absque difficultate auscultabo.

Ut verò libero catholicæ religionis exercitio, et legum suspensioni superiùs memoratæ ampliùs caveatur, promittam ego, idem Carolus Walliæ princeps, et verbo regio in me recipiam, quòd illa, quæ de iis superiùs promissa et tractata sunt, effectum suum obtinebunt, et executioni mandabuntur, tàm in regnis Scotiæ et Hiberniæ, quàm Angliæ.

Tandem, ego, Carolus, approbans, admittens, et acceptans omnia et singula quæ in scripto particulari, de datâ secundi Junii, habentur, quod mihi a rege Hispaniarum, theologorum suorum sententiam ac judicium continens, traditum fuit, et in eorum executionem et effectum consentiens, eadem grata et accepta habeo et pro bono duco; præsertim verò ut matrimonium inter me et serenissimam infantem Mariam per verba de præsenti hìc Madriti contrahatur, quamprimùm serenissimus Hispaniarum rex certior factus fuerit pontificem Romanum quicquid in materiâ religionis capitulatum est approbasse, et serenissimum dominum patrem meum, Magnæ Britanniæ regem, eadem omnia confirmasse ac jurasse; atque ut consummatio ejusdem matrimonii, et serenissimæ infantis traditio, in ver anni millesimi sexcentesimi vigesimi quarti proximè sequentis differatur; ita ut Hispaniarum rex serenissimam infantem, sororem suam, mihi, vel personæ, seu personis, quibus ego ejus rei potestatem fecero, tradere teneatur, primo die mensis Martii, ejusdem anni 1624, in hâc Madriti regiâ; vel in aliquo Hispaniæ portu, si ego id maluero aut præoptavero, decimo quinto die subsequentis mensis Aprilis, anni ejusdem: interim verò, ut quæcumque in beneficium catholicorum Romanorum promissa et a me capitulata sunt, statim stabiliantur, executionique mandentur, me effecturum in verbo et fide regiâ promitto.

Et ego, Philippus, rex catholicus, ejusdem scripti vigore, et pro ejus executione, serenissimis regi ac principi promitto, et, tàm meo quàm dominæ infantis Mariæ, charissimæ sororis meæ, nomine, in me recipio, quamprimùm certior factus fuero summum pontificem id omne, quod in materiâ religionis capitulatum est, approbasse, et regem Magnæ Britanniæ confirmasse ac jurasse, effecturum me ut matrimonium inter ipsam et dictum serenissimum Carolum, Walliæ principem, verbis de præsenti contrahatur: ita tamen ut consummatio ejusdem matrimonii et serenissimæ infantis traditio, in ver anni proximè sequentis, prout dictum est, differatur: quam serenissimam infantem eidem serenissimo Walliæ principi, vel personæ, sive personis, ab ipso ad eum effectum delegandis, tradere tenebor, et traditurum me spondeo, primo die mensis Martii anni proximè futuri, 1624, in hâc Madriti regiâ, vel in

aliquo Hispaniæ portu quintodecimo die mensis Aprilis anni ejusdem, prout serenissimus princeps maluerit, aut præoptaverit; eâ tamen conditione prævia, ut electio seu designatio, a serenissimâ suâ celsitudine facienda, quatuor ante traditionem mensibus mihi significetur, ut quæ necessaria fuerint, commodè disponi ac provideri possint. Et ita omnia et singula præmissa rata et grata habens, inviolabiliter, firmiter, sincerè, et bonâ fide tenere, observare, et adimplere per præsentes promitto, omni contradictione et exceptione cessante, non obstante etiam dispensatione vel evasione quâcumque.

Quæ omnia supradicta conventa et conclusa inter nos, Philippum, regem catholicum, et Carolum, Walliæ principem, bonâ fide observabimus et adimplebimus, observarique et adimpleri curabimus, omnesque et singulas securitates præstabimus, quæ de jure vel consuetudine in similibus tractatibus, pro illorum firmiore subsistentiâ, præstari debent, seu consueverunt, justâque aliquâ ratione, pro rei naturâ, à nobis exigi aut requiri poterunt; renunciantes omnibus juris, legum, vel statutorum, pragmaticarumque dispositionibus, aut beneficiis quibuscumque in contrarium. In quorum omnium et singulorum fidem et testimonium, præsentes literas manu nostrâ subscripsimus, et sigillis nostris muniri fecimus. Datum Madriti, die 4°. mensis Augusti, 1623.

Philippus.	Carolus.
Joannes de Ciriça.	Simon Digbeius.

*** *Philip's engagement to permit the marriage to be consummated at Christmas, if the Prince should then be in Spain. Aug.* 8, 1623.

[Prynne's Hidden Works of Darkness, 51.]

Philippus, Dei gratiâ, &c.—Postquam instrumento nuper transacto et concordato, super futuro matrimonio inter serenissimum Carolum eâdem divinâ providentiâ Magnæ Britanniæ &c. principem, et serenissimam Mariam, infantem Hispaniarum, sororem meam charissimam, conventum et stipulatum fuisset, ut eandem sororem meam præfato principi, vel ejus procuratori, seu procuratoribus, ad id delegandis, in manus tradere tenerer, tempore primi veris anni proximè sequentis, 1624, idem serenissimus Carolus, Walliæ princeps, a me instanter petiit, ut, propter quasdam rationes et considerationes, termini seu temporis præmemorati compendium facerem. Itaque desiderio ipsius, quantum in me est, satisfacere exoptans, indulsi et consensi, ut, si ipse proximis festis natalitiis hìc Madriti fuerit, tùm matrimonium, per verba de præsenti priùs contractum, consummare, et ad desideratum finem possit perducere. Quæ autem de traditione serenissimæ sororis

meæ præfato instrumento capitulata sunt, immutata et firma, uti concordata sunt, remanent, quemadmodùm cætera omnia. In quorum fidem, hoc præsens scriptum manu meâ subsignavi, et sigillo meo communiri feci. Datum Madriti, anno Domini 1623, mensis Augusti die octavo. PHILIPPUS.

JOANNES DE CIRIÇA.

No. LVIII.—(*Referred to at page* 142.)

Pope Urban VIII. to king James. Oct. 15, 1623.

[Rushworth, i. 93. Barberini MS. ut sup.]

Serenissime rex, salutem, et lumen divinæ gratiæ. Scotiæ regnum, quod inclytos terris reges, sanctissimosque cœlo cives peperit, cùm ad cardinalatûs nostri patrocinium pertinuerit, lætitiæ simul ac mœroris uberem nobis materiam afferebat. Exultabamus gaudio, cogitantes, in eâ regione, quam Romanorum arma expugnare omninò non potuerunt, Romanæ ecclesiæ fidem feliciter triumphasse, Scotumque regem, tot sæculorum decursu, nullum hactenùs extitisse, qui pontificiæ authoritatis hostis obierit. At enim vertebatur in luctum cithara nostra, cùm ad præsentium temporum miserias oculos, lacrymis manantes, converteremus. Videmini enim, laborante discordiarum patre, obliti esse eum, qui nutrivit vos, et contristatis nutricem vestram Jerusalem. Quare apostolica sedes, quæ populos istos jampridem Christo genuit, mœrore conficitur, dum tàm præclaram hæreditatem verti videt ad extraneos, damnique sui magnitudinem Britannorum regum laudibus, istarumque provinciarum gloriâ, metitur. Id verò, præter cætera, dolendum orbi christiano videtur, Jacobum regem, catholicorum regum prolem, et sanctissimæ parentis filium, à pontifice maximo, atque à majoribus suis in religionis cultu dissentire. Si enim sublime istud ingenium, quod literarum studiis, et prudentiæ artibus, rex celeberrimus, excoluisti, affulgenti patri luminum assentiretur, facilè conjicit christiana respublica, quantum publicæ concordiæ bono factum esset, ut nationes istas insulasque, aut montium claustris, aut oceani gurgitibus dissitas, Scoticus rex, imperio conjungeres. Videtur enim majestas tua ob eam rem facta esse tot provinciarum domina, *ut ab eo, cui parent, faciliùs celeriùsque regna ista medelam ac salutem acciperent*[1]. Quare assiduis precibus jam tùm eum venerabamur, qui dat salutem regibus, ut tot divinæ clementiæ beneficia, quibus in conspectu potentium admirabilis es, ad Britanniæ incolumitatem, et ecclesiæ gaudium

[1] [Instead of the words which I have printed in italics, the MS. has,—" ut in iis uti parens imperares."—*T.*]

conferret. Affulsit autem nobis, non ita pridem, beata spes oriens ex alto, cùm te Austriacæ affinitatis cupidum cognovimus ; ex catholicâ matre progigni exoptantem eos, qui tuam hæreditatem adire, populosque istos ditione tenere debent. Proin, vix dici potest quod nobis solatium obtulerit sanctissimæ recordationis pontifex Gregorius XV., prædecessor noster, dum nos in eorum cardinalium cœtum ascivit, quos Anglicani matrimonii causam cognoscere voluit. Enituit in nobis, tantum negotium disserentibus, singularis quædam propensio in majestatem tuam, cujus cum faveremus laudibus, felicitati etiam consultum cupiebamus. Nunc autem, cum per apostolici senatûs suffragia ad hanc stationem pervenerimus, ubi pro omnibus terrarum regnis excubandum est, non satis explicare possumus, quanta nobis cura et desiderium sit Magnæ Britanniæ, ac tanti regis dignitas. Divinitùs verò accidisse videtur, ut primæ literæ, quæ nobis in beati Petri sede regnantibus redderentur, eæ fuerint, quas prædecessori nostro nobilissimus Carolus, Walliæ princeps, scripserat, testes suæ in Romanos pontifices voluntatis : nunc autem, cùm venerabile illud conjugium, benedicente Domino, perfici cupiamus, alloqui te decrevimus, nullis majestatis tuæ literis expectatis. Charitas enim pontificii imperii decus est : et, quamvis in sede hâc potentissimorum regum obsequiis culti commoremur, magnificum tamen nobis existimamus, suadente charitate, ad humiles etiam preces descendere, dum animas Christo lucremur.

Primùm ergo, credere omninò te volumus, nullum esse in orbe terrarum principem, à quo plura expectare possis paternæ benevolentiæ documenta, quàm à pontifice maximo, qui te desideratissimum filium apostolicæ charitatis brachiis complecti cupit. Scimus quibus te literis nuper ad tantum decus adipiscendum excitavit Gregorius XV.: cum in ejus locum venerimus, ejus in te propensionem non imitabimur solùm, sed etiam superabimus. Speramus enim nuncios è Britanniâ propediem allatum iri, qui majestatem tuam rei catholicæ favere testentur, catholicosque isthic commorantes, quos pater misericordiarum asseruit in libertatem filiorum Dei, pœnarum formidine liberatos, regali tandem patrocinio perfrui. Remunerabitur ille, qui dives est in misericordiâ, ejusmodi consilium illustri aliquâ felicitate. Tum nomini majestatis tuæ plaudent regna terrarum, et militabunt acies cœlestis exercitûs. Frendeant licet dentibus suis peccatores, minetur seditione potens impietas, sperat Europa se visuram Jacobum regem in Romanâ ecclesiâ triumphantem, et majorum suorum exempla novis pietatis operibus augentem. Non diffidimus adesse jam tempus divini beneplaciti, quo illi, qui Britannicæ religionis laudes historiarum monumentis consignant, non semper alterius seculi facta loquentur, sed præ-

sentis etiam principatûs decora consequentibus ætatibus proponere poterunt ad imitandum. Majores illi tui te vocant, qui tibi tantæ claritudinis et potentiæ hæreditatem reliquerunt, qui cœlestis regni fores pontificiis clavibus generi humano patefieri crediderunt. Certè fieri non potest, ut majestas tua tot sæculorum fidem, tot regum de te præclarè meritorum judicium, aut contemnare audeat, aut condemnare.

Nonne vides, sententiâ majestatis tuæ iis omninò cœlum eripi, qui tibi regnum reliquerunt, dum eos in religionis cultu aberrasse contendis? Ita fieret, ut quos universa ecclesia cives cœli, et cohæredes Christi, in æternâ patriâ dominari credit, tu, ex ipsorum sanguine prognatus, tuo suffragio è cœlo detraheres, atque in errorum abyssum, et pœnarum carcerem detruderes. Non sentis, tanti cogitatione facinoris, grati animi tui viscera perhorrescere? Nonne ejusmodi consiliis regalis ingenii indoles reclamitat? quam tamen tot Europæ nationes, dum ab apostolicæ sede dissentit, reprehendere coguntur. Alliciat oculos tuos tantæ gloriæ splendor, quæ tibi è cœlo caput ostentat, et manum porrigit; in sanctuarium Dei Britannos reges per te reductura, comitantibus angelis, hominibusque plaudentibus. Jacebat olim in orbe terrarum deformata ærumnis christiana religio, tyrannorum minas expavescens: eam verò non solùm è latibulis eduxit, sed ad imperium etiam vocavit imperator ille, quem Magnæ Britanniæ debemus, Constantinus Magnus, pontificiæ authoritatis propugnator, et Romanæ fidei assertor. Hic aptum majestati tuæ regalis imitationis exemplar; non reges illi, qui sunt transgressi, dissipantes fœdus sempiternum. In ejus gloriæ societatem nos ex hâc terrarum speculâ te vocamus, exoptatissime fili. Impone præteritis annis diem unum, gratâ totius posteritatis memoriâ celebrandum. Impone capiti tuo mitram honoris æterni, ut, te rerum potiente, dicere cum sancto apostolo possimus, *Vidi in Britanniâ cœlum novum, et civitatem novam descendentem de cœlo, et super muros ejus angelorum custodiam.* Id si contingat, pontificatûs nostri tempora generi humano felicia affulsisse arbitrabimur. Cæterùm, tibi solicitudinem hanc nostram adeò gratam fore existimamus, ut omninò speremus, te, his literis acceptis, statim catholicorum isthic degentium commoda aucturum. Quod si præstiteris, et nos tibi mirum in modum devinxeris, et majestati tuæ tanti beneficii debitorem delegabimus ipsum regem regum, qui, dum regalem istam domum illustri aliquâ felicitate sospitabit, Romanæ ecclesiæ votis annuet, et sacrorum antistitum gaudio consulet.

Datum Romæ, apud S. Petrum, sub annulo piscatoris, die 15 Octobris, 1623, pontificatûs nostri primo.

The same to Prince Charles, Octob. 15, 1623.

[Rushworth, i. 98. Barberini MS. ut sup.]

Nobilissime princeps, salutem, et lumen divinæ gratiæ. Primæ literæ, quæ nobis ad apostolatûs solium elatis redditæ sunt, illæ fuerunt, quas ad sanctissimæ memoriæ Gregorium XV., prædecessorem nostrum, ex Hispaniâ misisti. Manus ad cœlum sustulimus, et Patri misericordiarum gratias egimus, cum, in ipso nostri regiminis exordio, pontificem Romanum eo officii genere colere Britannus princeps inciperet. Singulari enim quâdam animi propensione rei Anglicanæ jam diù favemus ; ex quo factum est, ut, in hoc antistitum conventu, et nationum patriâ, Scoti tui, dum cardinalem ageremus, se in nostram potissimùm fidem ac clientelam contulerint. Patrocinium autem tam splendidæ provinciæ suscipientes, identidem majorum tuorum res gestas et Britannicarum insularum laudes contemplabamur. Eas autem, quò illustriores orbi terrarum anteactæ ætates ostentabant, eò nos impensiùs cupiebamus consimilibus christianæ pietatis triumphis hæc tempora illic insigniri. Cùm autem Magnæ Britanniæ rex, pater tuus, non minorem ex disciplinarum famâ, quàm ex potentiæ vi gloriam concupierit, optavimus semper, suprà quàm dici potest, ei divinitùs insignem aliquam offerri occasionem generis humani demerendi, et cœlestis hæreditatis adipiscendæ. Nunc autem advenisse tempus credimus, quo votis nostris frui liceat, cum ad tantum decus potentissimo parenti aditum patefacere in præsens videaris, filius in maximarum rerum spem genitus. In eâ enim sententiâ sumus, ut arbitremur, tantum, quo flagras, catholici conjugii desiderium, quandam Dei te vocantis, et suaviter omnia disponentis, vocem esse. Nam opus Omnipotenti non est tonare semper voce magnitudinis suæ ; quia ipsa arcana consilia, dirigentia mortales in viam salutis, verba sunt et sermones, quibus æterna sapientia loquitur, et jubentis Numinis mandata declarat. Quare omni semper studio elaboravimus, ut conjugium hoc honorabile, benedicente Domino, perficeretur. Hinc conjicere potes, non potuisse alium ad sacrum hoc rerum humanarum fastigium provehi, à quo plura sperare possis documenta benevolentiæ, et beneficentiæ fructus. Te enim principem nobilissimum pontificiæ charitati commendant majores tui, hæreticæ impietatis domitores, et Romanæ hierarchiæ non cultores modò, sed vindices. Ii enim, cùm dogmatum novorum portenta in ea septentrionalis oceani propugnacula irrumperent, impiorum conatus salutaribus armis compescuerunt ; nec commutaverunt veritatem Dei in mendacium. Quòd si, ut scribis, reipsâ magis gloriaberis de avitæ imitatione religionis, quàm de regii sanguinis hæreditate, facilè prospi-

cimus quantam ejusmodi verba, in libro viventium exaranda, Romanæ ecclesiæ lætitiam, et Britannicis regnis felicitatem polliceantur. Hæc à te beneficia, desideratissime fili, exigit atque expectat venerandum illud regum Scotorum concilium, quorum facta absque dubio condemnat, qui ab illorum religione desciscit. Hoc à te catholici totius Europæ reges flagitant. Quomodo enim eorum concordia potest votum esse sollicitudinis tuæ, donec ab eis in maximâ re, id est, in sacrorum cultu, dissentias? Romana ecclesia, quam magistram veritatis Anglia tam diù coluit, cujus fidem tibi non invisam esse fateris, cupit tibi cœlestis regni fores quamprimùm patefacere, et te in majorum tuorum possessionem reducere. Cogita, te nunc in Hispaniæ regiâ spectaculum esse factum Deo et hominibus; semperque fore desiderium, et curam pontificatûs nostri. Cave, ne consilia eorum, qui terrenas rationes cœlestibus anteferunt, obducant cor tuum, nobilissime princeps. Lætifica tandem militiam cœlestis exercitûs in tuis castris dimicaturam; ac, faventibus angelis, hominibusque plaudentibus, redi, fili exoptatissime, ad ecclesiæ te cupientis amplexus; ut in matrimonio tuo, gestientes gaudio, canere possimus, *Dominus regnavit, et decorem indutus est.* Omninò quæ catholicæ virginis nuptias tantoperè concupiscis, cœlestem etiam illam sponsam tibi assumere debes, cujus formâ se captum fuisse Salomon ille regum sapientissimus gloriatur. Hæc enim sapientia est, per quam reges regnant, cujus dos est splendor gloriæ et principatus sempiternus. Eam verò, a terrenarum contagione rerum secretam, atque in sinu Dei recubantem, in Romanæ ecclesiæ sanctuario majores tui quæsiverunt. Qui tibi has hortationes conscribimus, et benevolentiam pontificiam testamur, cupimus perpetuis historiarum monumentis nomen tuum commendari, atque in eos principes referri, qui præclarè merentes, in terrâ, de regno cœlesti, fiunt posteritati virtutis exemplar et votorum mensura. Oramus Patrem luminum, ut beata hæc spes, quæ nobis tanti principis reditum, deducente Spiritu Sancto, pollicetur, quamprimùm ferat fructus suos, et Magnæ Britanniæ salutem, totique orbi christiano pariat lætitiam.

Datum Romæ, apud S. Petrum, sub annulo piscatoris, die 15 Octobris, 1623. Pontificatûs nostri anno primo.

No. LIX.—(*Referred to at page* 143.)

*** *Confirmation of the Treaty of August the fourth, Sep.* 7, 1623.

[Barberini MS. ut sup. tom 2. cap. 6.]

Madriti, die septimo mensis Septembris, anni millesimi sexcentesimi vigesimi tertii. Serenissimi principes, Philippus quartus Hispaniarum rex catholicus, et Carolus Walliæ princeps, omnia et singula capitula

in hoc instrumento et contractu, quarto Augusti hujus anni ab utroque subscripto, concordata, conventa, et specificata, ratione futuri matrimonii inter eundem serenissimum Walliæ principem, et serenissimam Mariam, infantem Hispaniarum, rata et grata habuerunt, eademque approbarunt, laudarunt, confirmarunt, et ratificarunt, et inviolabiliter, firmiter, benè, et fideliter tenere, observare, et perimplere, tenerique, observari, et perimpleri facere cum effectu, bonâ fide, et in verbis regiis promiserunt, omni exceptione seu contradictione cessante, non obstantibus quibuscumque opinionibus, sententiis, aut legibus in contrarium; et sic tandem, sacrosanctis Dei evangeliis per utrumque tactis, jurejurando firmarunt; atque, in eorum omnium et singulorum fidem et testimonium, denuò hoc instrumentum subscripserunt, et sigillis suis muniri fecerunt, loco, die, mense, et anno ut suprà.

Philippus. Carolus.

Joannes de Ciriça. Simon Digbeius.

No. LX.—(*Referred to at page* 145.)

Patent, with form of Pardon and Dispensation to Catholics, Sep. 8, 1623.

[MS. in the State Paper Office.]

James, by the grace of God, &c., to the reverend father in God, our right trusty and well beloved counsellor, John, lord bishop of Lincoln, lord keeper of our great seal of England, and to the lord chancellor of England and keeper of the great seal of England for the time being, and to every of them, greeting. Whereas a marriage is intended shortly to be had and solemnised between our most dear son Charles, prince of Wales, and the most excellent princess, the lady Mary of Spain, and, the said princess being a Romish catholic, we hold it fit, that such of our subjects as are of the same religion, containing themselves otherwise within the bounds of loyalty and duty, as is fitting for obedient and dutiful subjects, should be treated and used with all clemency and mildness,—therefore, because we will give example to other princes, to extend the like grace and favour to such of their subjects, as are of the religion which we ourselves profess, we have resolved to mitigate the severity of those laws, which do inflict on them any penalty in respect of their religion; hoping that, as we do herein enlarge our grace and bounty to them, so they will be stirred up and incited to shew the fruits and effects of their duty and sincere affection towards us, and our mild and merciful government, as may become both faithful and good subjects, and may encourage us to continue that favour and benignity towards them, which we have begun.

These, therefore, are to signify unto you, that, for the better effecting this our pleasure, our intention is to grant pardons and dispensations to such of our subjects and Romish catholics as, within the space or term of five years, next ensuing the date hereof, shall desire the same, according to the form and tenour of a pardon and dispensation here under written. And we do hereby require and command you, from time to time, during the said space or term of five years, to grant and pass, or cause to be made and passed, in our name, under our great seal of England, unto all and every our subjects, Romish catholics, who, within the said space or term, shall sue for, or desire the same, several letters patents, agreeable in every respect to the said former pardon here under written, as aforesaid (*mutatis mutandis*), without any further or more particular warrant, either by bill to be signed by our own sign manual, or by letters under our signet or privy seal, or other warrant or direction whatsoever (other than those our letters patents respectively) to whom such pardons shall be granted; paying therefore such and the like fees, and no more, as were paid upon the suing out of our general pardon, granted the first year of our reign of England. And these our letters patents shall be unto you, our said lord keeper of our great seal of England, and to the lord chancellor of England, and to the lord keeper of the great seal of England for the time being, and to either of them, a sufficient warrant and discharge for doing the same.

*** *Form of pardon mentioned in the preceding.*

Rex omnibus, &c., salutem. Sciatis quòd nos, de gratiâ nostrâ speciali, ac ex certâ scientiâ, et mero motu nostro, perdonavimus, remisimus, et relaxavimus, ac per præsentes, pro nobis, hæredibus, et successoribus nostris, perdonamus, remittimus, et relaxamus Thomæ Preston, de Southwark, in comitatu Surrey, clerico, seu quocumque alio nomine &c. idem T. Preston sciatur, omnes et singulas proditiones, misprisiones, et forisfacturas de præmunire, seu cognitas per idem nomen de *præmunire*, contra formam aut effectum statutorum inferiùs in præsentibus mentionatorum, aut eorum aliquorum, vel alicujus, viz., statuti in parlamento charissimæ sororis nostræ dominæ Elizabethæ, nuper reginæ Angliæ, anno regni sui primo facti et editi, intitulati, *An Act restoring to the crown the ancient jurisdiction over the state ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same;* necnon statuti in parlamento ejusdem nuper reginæ, anno regni sui quinto facti et editi, intitulati, *An Act for the assurance of the queen's power over all states and subjects within her*

dominions; necnon statuti, &c.;—necnon omnes et singulas proditiones, &c., contra formam et effectum alicujus alterius statuti, sive aliquorum aliorum statutorum versus jesuitas, presbyteros, seminaristas, et recusantes papales, aut eorum aliquem, post initium regni dominæ reginæ editorum sive provisorum, per dictum Thomam Preston, ante datam præsentium factas, perdonavimus etiam, remisimus, et relaxavimus; ac per præsentes præfato Thomæ Preston omnes et singulas transgressiones, omissiones, male-gestationes, crimina, et offensiones quascumque, in non accedendo ad aliquam ecclesiam, capellam, sive usualem locum communis precationis, juxta leges et statuta in eâ parte stabilita, ac omnes alias transgressiones, &c., contra formam statutorum superiùs mentionatorum, ac omnia et singula indictamenta, convictiones, informationes, judicia, condemnationes, utlegas, executiones, sectas, et sententias versus præfatum Thomam Preston, perdonavimus; insuper remisimus omnes et singulas recognitiones, obligationes, et securitates quascumque de se benè gerendo, juxta formam statuti 23 Eliz.—Sciatis insuper quòd nos, de gratiâ nostrâ uberiore, concedimus Thomæ Preston quòd ipse præfatus Thomas Preston, durante vitâ suâ, tàm in privatâ domo suâ propriâ, quàm in domo alterius cujuscumque religionem Romanam profitentis, missas, sacramenta, maritagia, sepulturas, aliaque ad cultum divinum spectantia, juxta ecclesiæ Romanæ ritus et cæremonias, habere, exercere, celebrare, audire, et uti possit, iisque interesse cum talibus personis, clericis et laicis, eosque habere, retinere, et non manifestare, ac cum talibus libris, ornamentis, ac aliis quæ in hâc parte requirantur, aliquo statuto, &c., non obstante. Concessimus insuper præfato Thomæ Preston quòd idem T. P., vigore vel prætextu alicujus statuti superiùs mentionati, non impediatur aliquid facere vel committere, quod ad exercitium Romanæ religionis infra præfatam domum, ut præfertur, fuerit necessarium, sive hoc fuerit in libris, ad cultum divinum, sive aliter ad religionem aut devotionem spectantibus, habendis vel utendis, sive in ornamentis et aliis quibuscumque ad illud necessariis; nec cogatur aliquid committere, quod religioni Romanæ infra privatam domum, ut præfertur, exercendæ repugnet, statutis præmentionatis, &c., non obstantibus. Et quod idem Thomas Preston, occasione retinendi vel custodiendi servientes, aut alios quoscumque catholicos Romanos, in domo suâ ordinariè remanentes, nullatenùs mulctetur seu gravetur, statutis annorum 15, 23, 28, 35 Elizabethæ, et annorum 1, 3, 7 Jacobi, aut aliquo alio statuto, non obstantibus. Quare volumus et mandamus tàm cancellario Angliæ ac custodi magni sigilli Angliæ, quàm justiciariis, &c., quòd nec ipsi, nec eorum aliquis

vel aliqui, per se vel per alios quoscumque, ad aliquod tempus in posterùm, aliquid in contrarium præmissæ voluntatis nostræ, in præsentibus expressæ et declaratæ, facient, vel fieri causabunt, sive permittent, faciet, aut fieri causabit, sive permittet. Et hæ literæ nostræ erunt dicto cancellario Angliæ, custodi, justiciariis, et eorum cuilibet, sufficiens warrantum et exoneratio in hâc parte. Et ulteriùs, de uberiore gratiâ nostrâ, firmiter præcipimus omnibus et singulis judicibus et aliis quibuscumque, quòd hæ literæ per generalia verba interpretabuntur, exponentur, et adjudicabuntur, in omnibus curiis nostris, vel alibi, in beneficentissimo et benignissimo sensu, et pro maximo commodo et firmiore exoneratione præfati Thomæ Preston, &c. In cujus rei testimonium, &c., octavo die Septembris, 1623.

No. LXI.—(*Referred to at page* 152.)

Proposed Petition from the two houses of Parliament to the King, against Popish Recusants, April 3, 1624.

[Lords' Journals, iii. 289.]

May it please your most excellent Majesty,

We, your majesty's most humble and loyal subjects, the commons in this present parliament assembled, having, to our singular comfort, received your princely resolution, upon our humble petition, to dissolve the two treaties, of the match and of the palatinate; and having, on our parts, with all alacrity and readiness, humbly offered our assistance to your majesty, to maintain the war which may ensue thereupon; yet, withal, sensibly finding what seditious and traitorous positions those incendiaries of Rome, and professed engines of Spain, the priests and jesuits, infuse into your natural-born subjects; what numbers they have seduced, and do daily seduce, to make their dependance on the pope of Rome and king of Spain, contrary to their allegiance to your majesty, their liege lord; what daily resort of priests and jesuits into your kingdoms; what concourse of popish recusants, much more than usual, is now in and about the city of London; what boldness, yea what insolency, they have discovered, out of the opinion conceived of their foreign patronage; what public resort to masses, and other exercises of the popish religion, in the houses of foreign ambassadors, there is daily, to the great grief and offence of your good subjects; what great preparations are made in Spain fit for an invasion, the bent whereof is as probable to be upon some part of your majesty's dominions, as upon any other place; what encouragement may it be to your enemies, and the enemies of your crown, to have a party, or but the opinion of a party, within your kingdoms, who do

daily encrease and combine themselves together for that purpose; what disheartening of your good and loving subjects, when they shall see more cause of fear from their false-hearted countrymen at home, than from their professed adversaries abroad; what apparent dangers, by God's providence, and your majesty's wisdom and goodness, they have very lately escaped, which the longer continuance of those treaties, upon such unfitting conditions, fomented by your own ill-affected subjects, would surely have drawn upon your majesty, and your state,—do in all humbleness offer to your sacred majesty these their humble petitions following.

1°. That all jesuits and seminary priests, and all others having taken orders by any authority derived from the see of Rome, may, by your majesty's proclamation, be commanded forthwith to depart out of this realm, and all other your highness's dominions; and neither they, nor any other, to return or come hither again, upon peril of the severest penalty of the laws, now in force against them; and that all your majesty's subjects may hereby also be admonished, not to receive, entertain, comfort, or conceal any of that viperous brood, upon the penalties and forfeitures, which by the laws may be imposed upon them.

2°. That your majesty would be pleased to give strait and speedy charge to the justices of peace, in all parts of this kingdom, that (according to the laws in that behalf made, and the orders taken by your majesty's privy council heretofore, for policy of state) they do take from all popish recusants, legally convicted, or justly suspected, all such armour, gunpowder, and munition of any kind, as any of them have, either in their own hands, or in the hands of any other for them; and to see the same safely kept and disposed according to the law; leaving them, for the necessary defence of their houses and persons, so much as by the law is prescribed.

3°. That your majesty will please to command all popish recusants, and all others, who by any law or statute are prohibited to come to the king's court, forthwith, under pain of your heavy displeasure, and severe execution of your laws against them, to retire themselves, their wives, and families, from or about London, to their several dwellings, or places by your laws appointed; and there to remain confined, within five miles of their dwelling places, according to the laws of this your realm; and, for that purpose, to discharge all by-past licenses granted unto them for their repair hither; and that they presume not, at any time hereafter, to repair to London, or within ten miles of London, or to the king's court, or to the prince's court, wheresoever.

4°. That your majesty would forbid and restrain the great resort and

concourse of your own subjects, for the hearing of mass, or for other exercise of the Romish religion, to the houses of foreign ambassadors, or agents residing here for the service of their several princes or states.

5°. That, where of late, in several counties of this realm, some have been trusted in the places of lords lieutenants, deputy lieutenants, commissioners of oyer and terminer, justices of peace, and captains in their countries, which are either popish recusants, or non-communicants by the space of a year now past, or which do not usually resort to the church to divine service, and can bring [no] good certificate thereof; that your majesty would be pleased to discharge them from those places of trust, by which they have that power, in the country where they live, as is not fit to be put into the hands of persons so affected.

6°. That your majesty would be pleased, generally, to put the laws in due execution, which are made, and stand in force, against popish recusants; and that all your judges, justices, and ministers of justice, to whose care these things are committed, may, by your majesty's proclamation, be commanded to do their duty therein.

7°. That, seeing we are thus happily delivered from that danger, which those treaties now dissolved, and that use which your ill-affected subjects made thereof, would certainly have drawn upon us, and yet cannot but foresee and fear lest the like may hereafter happen, which would inevitably bring such peril to your majesty's kingdoms, we are most humble suitors to your gracious majesty, to secure the hearts of your good subjects, by the engagement of your royal word unto them, that, upon no occasion of marriage, or treaty, or other request in that behalf, from any foreign prince or state whatsoever, you will take away or slacken the execution of your laws against the popish recusants.

To which our humble petitions, proceeding from our most loyal and dutiful affections towards your majesty, our care of our country's good, and our confident persuasion that these will much advance the glory of Almighty God, the everlasting honour of your majesty, the safety of your kingdoms, and the encouragement of all your good subjects, we do most humbly beseech your majesty to vouchsafe a gracious answer.

*** *Petition substituted for the preceding, and presented to the King, April* 23, 1624.

[Lords' Journals, iii. 298.]

May it please your most excellent Majesty,

It having pleased your majesty, upon our humble suit and

advice, to dissolve both the treaties, to our great joy and comfort, we, your majesty's most faithful and loyal subjects, the lords and commons assembled in parliament, do, in all humbleness, offer unto your sacred majesty these two petitions following :—

First, that, for the more safety of your realms, and better keeping your subjects in their due obedience, and other important reasons of state, your majesty will be pleased, by some such course as your majesty shall think fit, to give present order that all the laws be put in due execution, which have been made, and do stand in force, against jesuits, seminary priests, and all others having taken orders by authority derived from the see of Rome, and generally against all popish recusants : and, as for disarming, that it may be according to the laws, and according to former acts and directions of state in the like case; and yet that it may appear to all the world the favour and clemency your majesty useth towards all your subjects, of what condition soever. And, to the intent the jesuits and priests, now in the realm, may not pretend to be surprised, that a speedy and certain day may be prefixed by your majesty's proclamation, before which day they shall depart out of this realm, and all other your highness's dominions; and neither they nor any other to return, or come hither again, upon peril of the severest penalties of the laws now in force against them; and that all your majesty's subjects may thereby also be admonished not to receive, entertain, comfort, or conceal any of them, upon the penalties and forfeitures which by the laws may be imposed on them.

Secondly (seeing we are thus happily delivered from that danger, which those treaties now dissolved, and that use which your ill-affected subjects made thereof, would certainly have drawn upon us, and yet cannot but foresee and fear lest the like may hereafter happen, which would inevitably bring such peril to your majesty's kingdoms), we are most humble suitors to your gracious majesty, to secure the hearts of your good subjects, by the engagement of your royal word unto them, that, upon no occasion of marriage or treaty, or other request in that behalf, from any foreign prince or state whatsoever, you will take away or slacken the execution of your laws against jesuits, priests, and popish recusants.

To which our humble petitions, proceeding from our most loyal and dutiful affections towards your majesty, our care of our country's good, and our own confident persuasion that these will much advance the glory of Almighty God, the everlasting honour of your majesty, the safety of your kingdoms, and the encouragement of all your good subjects, we do most humbly beseech your majesty to vouchsafe a gracious answer.

James's Answer to the preceding Petition, April 23, 1624.

[Lords' Journals, iii. 317.]

My Lords and Gentlemen of both Houses,

Although I cannot but commend your zeal in offering this petition, yet, on the other side, I must hold myself unfortunate, that I should be thought to need a spur to do that which my conscience and duty bind me unto. What my religion is, my books do declare, my profession and behaviour do shew; and I hope I shall never live to be thought otherwise. Sure I am, I shall never deserve it: and, for my part, I wish it might be written in marble, and remain to posterity, as a mark upon me, when I shall swerve from my religion. For he, that doth dissemble with God, is not to be trusted of men.

My Lords, for my part, I protest unto you, my heart hath bled, when I have heard of the encrease of popery. God is my judge, it hath been such a great grief unto me, that it hath been like thorns in my eyes, and pricks in my sides; so far have I been, and ever shall be, from turning any other way. And, my lords and gentlemen, ye all shall be my confessors, that, if I knew any way better than other to hinder the growth of popery, I would take it; for knowing that I do, and being persuaded as I am, I could not be an honest man, and do otherwise. And this I may say further, that, if I be not a martyr, I am sure I am a confessor: and, in some sense, I may be called a martyr, as, in the Scripture, Isaac was persecuted by Ismael in mocking words; for never king suffered more by ill tongues than I have done;—and, I am sure, for no other cause. And yet I have been far from persecution; for I have ever thought, no way more encreaseth religion than persecution, according to that saying, that *sanguis martyrum* is *semen ecclesiæ*.

Now, my lords and gentlemen, I will not only grant the substance of what you crave, but add something more of my own: for the two treaties being already annulled, as I have declared them to be, that necessarily follows of itself which you desire. It needs no more but that I declare by proclamation (which I am ready to do), that the jesuits and priests do depart by a day: but it cannot be, as you desire, by one proclamation, to be out of all my dominions; for a proclamation here extends but to this kingdom. This I will do, and more: I will command all my judges, when they go their circuits, to take the same course, for putting all the laws against recusants in execution, that they were wont to do, before these treaties; for the laws be still in force, and were never dispensed with by me, and, *God*

is my judge, never were intended so to be (but, as I told you in the beginning of the parliament, you must give me leave to do as a good horseman, sometimes to use the rein, and not always the spur): so that now there needs only my declaration. And, for the disarming, that is already provided for by law, and it shall be done as you desire. And more: I will take order to prevent that shameful disorder of the resorting of my subjects in numbers to the houses of all foreign ambassadors; and of this I will advise with my council how it may best be reformed. True it is, houses of ambassadors be privileged places; and though they cannot take them out of their houses, yet the lord mayor and Mr. Recorder of London may take them as they come from thence, and make some of them examples. Another point I will add, concerning the education of the children of recusants, of which I have had a principal care, as my lord of Canterbury, and the bishop of Winchester, and other lords of my council, and indeed all my council, can bear me witness, with whom I have advised concerning this matter; for, in good faith, it is a shame that their children should be so bred here, as if they were brought up in Madrid or in Rome. So as I grant you all that you desire, and more: only, I am sorry that I was not the first mover; and if you had not moved these things to me, yet I would have done them myself.

Now for the last part of your petition:—you have therein given me the best advice in the world; for it is against the rule of wisdom, that a king should suffer any of his subjects to be beholding and depend upon any other prince than himself; and what hath any king to do with the laws and subjects of another kingdom? Therefore, assure yourselves that, by the grace of God, I will be careful that no such condition be hereafter foisted in upon any other treaty whatsoever: for it is fit that my subjects should stand or fall to their own lord.

No. LXII.—(*Referred to at page* 156.)

*** *Ecrit secret agreed on in France, and afterwards signed by James and the prince, in favour of the catholics, December* 12, 1624.

[Hardwick Papers, i. 546.]

Le roi de la Grande Bretagne donnera au roi un écrit particulier signé de lui, du serenissime prince, son fils, et d'un secrétaire d'état, par lequel il promettra, en foi et parole de roi, qu'en contemplation de son très cher fils, et de madame, sœur du roi très chrétien, il permettra à tous ses sujets catholiques Romains de jouir de plus de liberté et franchise, en ce qui regarde leur religion, qu'ils n'eussent fait en vertu d'articles quelconques accordés par le traité de mariage fait avec

l'Espagne: ne voulant, pour cet effet, que ses sujets catholiques puissent être inquiétés en leurs personnes et biens, pour faire profession de la dite religion, et vivre en catholiques, pourveu toutefois qu'ils en usent modestement, et rendent l'obéisance que de bons et vrais sujets doivent à leur roi, qui, par sa bonté, ne les restreindra pas à aucun serment contraire à leur religion.

Ce que dessus a été accordé par messieurs les ambassadeurs du roi de la Grande Bretagne, ce 18 Novembre, 1624, à Paris.

CARLISLE.
HOLLAND.

*** *James to the lord keeper; a warrant for the discharge of imprisoned catholics, Dec.* 26, 1624.

[MS. in the State Paper Office.]

Right Reverend Father in God, &c.—Whereas divers priests, jesuits, friars, and other Roman catholics, as well clerks as laics, are at this present imprisoned in sundry gaols and prisons within this our kingdom, for several offences, some of which, by divers statutes, made in the time of our late dear sister queen Elizabeth, and in our own time, are made treasons, misprisions of treason, felonies, and premunire, and others are made punishable by imprisonment:

And whereas we are graciously resolved, in contemplation of the marriage between our dear son the prince, and lady Mary Henrietta, sister to our dear brother, the most christian king, and for the gratifying and giving contentment to our said dear brother, to set at liberty all the said priests, jesuits, friars, and other Roman catholics, as well clerks as laics, hoping of their better conformity for the future time; and conceiving it the best and readiest way to perform the same, by the like course as was put in ure, in the time of the late treaty of the match between our said son and the daughter of Spain,—

Our will and pleasure therefore is, and we do hereby require and authorise you to make forth the like writs unto all our judges, justices of assise, and other officers to whom it shall or may appertain, for discharge and enlargement of all the said priests, jesuits, friars, and other Roman catholics, clerks and laics, as were awarded in the time of the said late treaty with Spain. And this shall be your sufficient warrant. Given at our Palace at Westminster, the six and twentieth day of December, in the two and twentieth year of our reign of England, &c.

*** *The same to the Archbishop of York, Dec.* 26, 1624.

[Original in the State Paper Office.]

James R.

Most reverend Father in God, &c.—We have been moved, in contemplation of the match between our dear son and the lady Mary of France, and of the general benefit, which we hope will arise by that alliance to all christendom, to yield unto some favourable dispensation to our subjects, Roman catholics; and, accordingly, our will and pleasure is, that you give order that all prosecutions against them, in our high commission court for the province of York, for the exercise of their religion, be stayed and forborne: and further, that our said subjects, Roman catholics, be not any way molested for the penalty of twelve pence, imposed upon them by the statute, for every Sunday they go not to church: for which these our letters shall be your sufficient warrant. Given at our palace of Westminster, the 26 day of December, in the two and twentieth year of our reign of England, &c.

*** *Memorandum on the same subject, Dec.* 30, 1624.

[Original in the State Paper Office.]

A warrant to be to my lord treasurer, and Mr. Chancellor of the exchequer, to give order to the officers of the exchequer that they forbear to receive any sums of money for the £20 by month, rents reserved upon leases, grants, patents, or upon inquisitions, payable to his majesty for the recusancy of recusants, by any persons whatsoever: and that discharges be given for all such sums of money and rents to such persons as they may concern, as if the said sums of money and rents had been paid.

Also that all monies paid into the exchequer, since Trinity term last, for the £20 by month, rents, or otherwise, for the recusancy of recusants, be repaid; and that all sums of money, goods, and bonds, levied or taken, by virtue of commissions issued out of the exchequer since the said Trinity term, and in the custody of sheriffs or other officers, be restored, and they discharged.

And further also, that no commission, process, or other thing, be permitted to issue forth, to find, seize, or levy any sums of money, upon the lands or goods of any recusants, for any thing concerning their religion.

No. LXIII.—(*Referred to at page* 158.)

*** *Memorial presented by the ambassador Bethune to pope Urban VIII., April* 1625.

[Barberini MS. ut sup. tom. 2. cap. 6.]

Beatissimo Padre,

Fra le condizioni, sotto le quali aveva vostra santità comandato a Monsignore Nunzio in Francia, che consegnasse la dispensa per il matrimonio di madama col principe di Vuallia, una era che certi articoli mandati da Roma fossero sottoscritti, tanto dal rè cristianissimo, quanto dal rè della Gran Bretagna: il che è stato adempito da sua maestà cristianissima; ma il rè della Gran Bretagna, nonostante i replicati ed istanti ufficj che, sopra di ciò, sono stati fatti con lui, non ha potuto esser persuaso di sottoscriverli; scusandosi con dire che già, in effetto, si ha accordata la sostanza, negli articoli e scritture da lui consegnate in lingua Francese, come costa dagli originali visti da Mons. Nunzio, e dalle copie, che, tradotte in lingua Italiana, sono quì aggiunte. E perchè, per più ragioni gravissime, ma specialmente per interesse della religione cattolica, e di tante migliara di anime, che ne' regni della Gran Bretagna ed Irlanda la professano, molto importa che questo matrimonio sia quanto prima effettuato (perchè altrimente sene romperà il trattato, ed, il principe di Vuallia pigliando una moglie eretica, resteranno i detti cattolici, sudditi del rè suo padre, privati d'ogni protezione, ed esposti a persecuzioni e rigorosi trattamenti più che mai),—pertanto è supplicata umilissimamente vostra santità che, indulgendo a necessità così urgente, si degni ordinare a detto monsignore Nunzio, che, senza più aspettare che il rè della Gran Bretagna sottoscriva gli articoli di Roma, si contenti dell' altre soddisfazioni che si danno in questo negozio, e consegni quanto prima la dispensa; della quale siccome il rè cristianissimo si terrà grandemente obbligato a vostra santità, così anche l'assicura che non cessarà mai di fare ogni sforzo, acciocchè non solamente si osservino gli articoli prescritti da vostra santità, ma di più si acquistino giornalmente l'altre cose, che potranno in quei regni esser utili all' avanzamento della medesima religione cattolica.

Ed acciocchè vostra santità vegga che dalla parte del rè cristianissimo non è stata in questo negozio omessa alcuna cosa possibile, e che, in effetto, si è avuto ancora dall' rè della Gran Bretagna la sostanza di tutto quello che vostra beatitudine ha ordinato, si danno l'infrascritte scritture.

He then enumerates the papers delivered in, namely, the general articles signed and ratified by all the parties; an engagement from James and Charles, to the effect that no means should be

adopted or permitted to entice the princess from her religion; the paper known as the Ecrit Secret; *and divers letters and proclamations lately issued by the English king in favour of his catholic subjects. Finally, he adds a copy of the following "Letter Patent" from Louis:—*

Luigi, per grazia di Dio, &c. Conciossiacosachè certi articoli concernenti la religione, giunti e legati a queste nostre, sotto il controsigillo di nostra cancellaria, ci siano stati presentati da parte del nostro santo padre, papa Urbano ottavo, spettanti al matrimonio fra la nostra carissima sorella, Maria Errichetta, e Carlo principe di Vuallia; * * e che li detti articoli ci siano stati l'uno dopo l'altro, e siano stati da noi ben intesi e capiti; faciamo sapere che, avendoli fatti vedere nel consiglio nostro, dove erano presenti la regina, nostra onoratissima madre e signora, i nostri carissimi e ben amati cugini i cardinali di Roccafocò e Richelieu, ed altri officiali della nostra corona, con altri principali signori nel detto consiglio, noi abbiamo, di parere ed opinione loro, gradito ed approvato li detti articoli, li approviamo e li reciviamo per le presenti lettere sottoscritte di nostra mano, e li abbiamo avuti per gratissimi, e giudicatili per giustissimi, e conosciutili per utili alla religione cattolica ed apostolica Romana; buoni per la sicurezza della coscienza di detta nostra sorella, e de' suoi, come anche di sua dignità e condizione; corrispondenti al zelo, prudenza, ed esperienza di sua santità. E perchè li articoli, sottoscritti da' commessarj del rè della Gran Bretagna, nostro buon fratello, e ratificati da esso, contengono in sostenza l'istesse cose, oltre le certezze verbali, segrete, e particolari, che noi abbiamo dal detto rè, Noi promettiamo a sua santità, ed alla santa sede apostolica, sopra la fede e parola di rè cristianissimo, e giuriamo sopra i santi vangeli, che, a tutto nostro potere, e per quanto a noi stà e starà, il contenuto in detti articoli concernenti la detta religione, sottoscritti di nostra mano, quì giunti e legati, sarà osservato ed adempito, tanto in quello che risguarda noi, ed insieme la nostra carissima sorella, e nostri successori, quanto in quello che dipende dal potere ed autorità del detto serenissimo rè della Gran Bretagna, e principe suo figlio, e loro successori; supplicando umilissimamente la santità sua di ricevere la fede nostra e la nostra parola, per certezza dell' intiera esecuzione di tutto ciò, che vi è contenuto. In testimonio di che, abbiamo fatto porre il nostro sigillo a queste presenti, perchè tale è il nostro piacere. Dato in Parigi, li 21 Marzo, l'anno di grazia 1625, e del nostro regno il 15.

Louis.

Promesse del medesimo rè.

Le seguenti promesse necessarie ed utili fà Luigi decimo-terzo, rè cristianissimo di Francia, alla santità di nostro signore, Urbano ottavo, &c., oltre quelle che si contengono nelle convenzioni ed articoli spettanti alla religione cattolica, promesse, sottoscritte, ed annesse ad altre lettere patenti, spedite li 21 Marzo, 1625.

1°. Promette il rè Luigi che, subito celebrato il detto matrimonio, il rè Giacomo ed il principe Carlo concederanno, come di fatto concedono, a tutti i seguaci della religione cattolica Romana, tanto nati nel regno d'Inghilterra, quanto forestieri, perpetua sicurezza ed immunità, tanto nelle persone, quanto nella roba, nonostante in contrario qualsivoglia legge del regno ; e che in niun ne patiranno molestia, o privata o pubblica, per titolo di professare la religione cattolica Romana, come si contiene nel capitolo nono delle convenzioni sopraccennate. Ma anchè il cristianissimo promette la sua fede, e dei rè successori in Francia, per parte del rè della Gran Bretagna, e del principe di Vuallia suo figliuolo, e de' loro successori, che le leggi promulgate, e da promulgarsi, contro i cattolici, in verun tempo nè direttamente nè indirettamente si eseguiranno ; e che i predetti cattolici tutti, e ciascuno di essi, nell' esercizio della religione cattolica Romana otterranno e goderanno maggior libertà, di quella che avrebbero ottenuto e goduto in vigore de' capitoli matrimoniali accordati con gli Spagnoli : e questa concessione sarà notificata ai medesimi cattolici, subito che il predetto matrimonio *per verba de præsenti* sarà contratto.

2°. Promette il medesimo rè cristianissimo che i famigliari di essa serenissima madama Errichetta non saranno astretti, in verun tempo, a prestare alcun giuramento al rè d'Inghilterra, o al sudetto principe ; o almeno non ad altro giuramento che all' infrascritto :—" Io, N. N., giuro e prometto fedeltà al serenissimo rè Giacomo, ed al principe Carlo suo figlio, ed alla serenissima madama Maria Errichetta, sorella del rè cristianissimo ; qual fedeltà inviolabilmente osserverò ; e se si intenterà cosa alcuna contro le persone, onore, e dignità reale delli detti principi, o contro lo stato e ben pubblico del regno, prometto di rivelarlo alli medesimi, o loro ministri."—Ma li cattolici suggetti del rè d'Inghilterra e suoi successori, o non presteranno alcun giuramento, o pure non in altra forma che in quella da concertarsi fra le due rè. Promette pero il cristianissimo al sommo pontefice, ed alla santa sede apostolica, per se e successori nel regno di Francia, che non consentirà ad alcuna forma di giuramento da prestarsi dai suddetti cattolici, se non col consenso di sua beatitudine, et della medesima santa sede apostolica.

3°. Promette, oltre di quello che è nell' articolo settimo delli gia concordati, che le nutrici ed altre persone, alle quali sarà data la cura di allevare la prole che nascerà dal prefato matrimonio, fino all' anno decimo-terzo compito della loro età, non solo saranno elette liberamente dalla serenissima madama, ma anche che l'istessa madama, o altri a' quali ella darà tal cura, non eleggeranno se non persone cattoliche.

4°. Promette parimente, oltre quello che si contiene nell' articolo ottavo de' predetti concordati, se alcuno, o direttamente o indirettamente, vorra tentare i famigliari di madama, per farli abbandonare la religione cattolica Romana, o commettere alcuna cosa benchè minima, di far dar loro condegna pena e gastigo : e chi permetterà di esser tentato, e non lo rivelerà incontanente, sarà scacciato dalla corte della predetta madama.

E di più promette il medesimo rè cristianissimo al sommo pontefice, Urbano, di far ogni opera, 1°. Che, se alcuna legge nel regno Inglese sarà stata fatta, in ordine ad escludere dalla successione del regno la prole regia cattolica, di farla rivocare, almeno per i figliuoli nascituri del presente matrimonio, e che, per l'avvenire, non se ne farà altra simile.

2°. Che alla chiesa o cappella, destinata alla sorella della maestà sua, potessero intervenire tutti i cattolici, essendo ella presente ; o, almeno, tutti i cattolici, tanto sudditi del rè Inglese, quanto stranieri, potessero accompagnarla alla detta chiesa o cappella, coll 'occasione di celebrarsi i divini officj, senza esser eglino impediti, o rimossi, eziandiò nel tempo del sagrificio della messa.

3°. Che, per l'avvenire, nel regno della Gran Bretagna, non si stabiliranno leggi contrarie a' cattolici.

4°. Che le abilità e sicurezze concesse ai medesimi cattolici, ad intuito del predetto matrimonio, e che per l'avvenire si concederanno, sarebbero quanto prima confirmate dal parlamento, o almeno dal consiglio reale Inglese, rimanendo sempre salva, e nel suo vigore, la promessa del cristianissimo, sì circa quello che il parlamento ed il consiglio confermerebbe, sì anche circa l'altre cose promesse dal cristianissimo : e la forma del giuramento della confermazione da farsi, è la seguente : —" Io, N.N., giuro di pienamente osservare, per quanto a me spetta, " tutti e singoli articoli contenuti nel trattato del matrimonio, fra il " serenissimo principe di Vuallia e la serenissima madama, Errichetta, " sorella del rè cristianissimo. Giuro ancora che, nè per me, nè per " altro mio ministro, si darà esecuzione ad alcuna legge, fatta o da farsi, " contro alcun cattolico Romano ; nè alcuna pena, che forse contro di " essi sarà promulgata, sarà eseguita ; ma, per quanto appartiene a me,

" osserverò fedelmente tutti gli ordini ne' predetti articoli matrimoniali " contenuti."

5°. Che si fabbrichi una chiesa pubblica, nella quale sia permessa a tutti i cattolici di convenire, almeno per connivenza ; o, almeno, alla serenissima madama, ed a suoi famigliari.

6°. Che si assegnerà, per luogo particolare di sepoltura, un cemeterio, non solo per li famigliari di madama, ma, in tutti i luoghi del regno della Gran Bretagna, si farà un cemeterio simile, per seppellirvi li corpi de' cattolici che moriranno.

7°. Che la giurisdizione del vescovo, gran limosiniere di madama, abbraccerà tutte le cause, civili e criminali, che verranno tra i famigliari della medesima madama.

E finalmente, il rè cristianissimo promette a sua santità ed alla sede apostolica, di porre ogni studio che, in grazia del predetto matrimonio, succeda giornalmente ogni maggior utile e vantaggio a favore della religione cattolica nel regno della Gran Bretagna. Le quali cose tutte, e ciascuna di esse, secondo la prenarrata serie, il re cristianissimo, per se e suoi successori nel regno, promette inviolabilmente di osservare. Data nel Louvre, li , 1625.

LOVIS.

No. LXIV.—(*Referred to at page* 161.)

*** *The Dean and Chapter of Lincoln to Sir John Lambe, Knt., Commissary within the archdeaconry of Leicester. Jan.* 30, 1626.

[Original in the State Paper Office.]

Salutem in Christo.

We have received letters from the right reverend father in God, the lord bishop of Lincoln, our diocesan, with the copies of the king's letters to the most reverend father in God, the lord archbishop of Canterbury his grace, and the copies of the letters of his grace to the foresaid lord bishop of Lincoln, *in hæc verba :—*

" After my hearty commendations. I send you here enclosed a copy of a letter from my lord's grace of Canterbury, to me directed, which I would have you seriously peruse ; and whatever therein is of me commanded to be done, I do most earnestly require and charge you, with all possible care and diligence, to perform and put in execution, by such justifiable and usual ways and means as shall seem best unto you, and consonant to the former practice of that jurisdiction which you do exercise : that, having certified me of your proceedings accordingly, I may be able to

give an account to my lord's grace, before the last of March next.

"Particularly, you are to examine the number of recusants which are in your jurisdiction at the present, and to compare them with the number of recusants convict, which you shall have found to have been in the same jurisdiction seven years since, as far forth as your books and records can give you any intelligence; and to send me, under your hand, an abstract of either: and if you shall find (which God forbid) any encrease of recusants in that time, to set down what the reasons you conceive to be of the same encrease; that his majesty in that behalf may, by the mediation of my lord's grace, be the better satisfied. And so, not doubting of your zeal and willingness herein, I commit you to God's protection. Buckden, this 29th of Dec. 1625.

"Your very loving friend,

"Jo. LINCOLN."

"*To my very loving friends,*
Mr. Dr. Parker, dean, and Mr.
Eland, chancellor, of the cathedral
church of Lincoln."

"Right reverend father in God, my very good lord,

"I have received from the king's majesty a letter, the tenour whereof followeth:—

"'Most reverend father in God, &c.—Whereas, upon sundry weighty considerations, us specially moving, we have awarded our commission, under our great seal of England, for the due and effectual putting in execution of the several laws and statutes in force against popish recusants, and did cause our said commission to be publicly read in our several courts, holden at Reading, the last term, that all our loving subjects might take notice of our princely care and special charge for the advancement of true religion, and suppression of superstition and popery, we have now thought fit, out of the same care, to add a further charge to you, and all others having ecclesiastical jurisdiction under us, that no good means be neglected on your part, for discovering, finding out, and apprehending of jesuits, seminary priests, and other seducers of our people to the Romish religion, or for the repressing of popish recusants and delinquents of that sort, against whom you are to proceed by excommunication and other censures of the church, not omitting any other due and lawful means, to bring them forth in public to justice:—and, as our pleasure is, that due and strict

proceedings be used against such as are open and profest papists, of whom our temporal laws will more easily take hold, so we do recommend to the vigilant care of you and the rest of our clergy the repressing of those, who, being ill-affected to the true religion here established, do keep more close and secret their ill and dangerous affections that way, and, as well by their examples, as by secret and underhand sleights and means, do much encourage and encrease the growth of popery and superstition in sundry parts of this kingdom: and therefore we do not only require that none of them may have any manner of cover, protection, countenance, or conveyance, from you or any of the rest, as you tender our royal commandment in that behalf; but that all possible diligence be used, as well to unmask the false shadows and pretences of those which are obstinate, as, by all good means, to reclaim those, who may possibly be won to conformity: Letting all men know that we cannot think well of any, that, having place and authority in the church, do permit such persons [to] pass with impunity; much less if they give any countenance, to the emboldening of them or their adherents. And because we understand that the number of recusants is much more encreased in some dioceses than in others, we shall impute the same to the negligence of those bishops, who have the same means of power and restraint, unless they can shew us some particular reason, by which that contagion is grown greater under them than others, and not by their default. And we do hereby require you to send transcripts of these our letters to all the bishops and ordinaries within your province, for the present execution of this general direction; and also to transmit the same our letters to the lord archbishop of York, that he may take the like course, within his charge and jurisdiction. Given under our signet, at our castle of Windsor, the 15 day of December, in the first year of our reign.'

"By this you see the royal and christian care which his majesty hath for the advancing of true religion within this kingdom, and the suppressing of the contrary. I doubt not but that your lordship will take it into your serious consideration, and, by your officers and ministers, give execution thereto; so that presentments be duly made, and excommunications against the obstinate be issued forth, as some few years past was accustomed. And his majesty doth expect that, to shew your diligence and zeal herein,

your lordship doth, soon after Easter, return to me the list and number of all recusant papists within your diocese; which without fail I do expect. And so I leave you to the Almighty, and do remain "Your lordship's loving brother,

"GEORGE CANT."

"Croydon, this 21 of December, 1625."

We do therefore hereby straitly require and charge you, that you put the said letters to due execution, within such peculiar jurisdiction as you do exercise under us; and that you do make a true and sufficient transcript thereof unto us, with all convenient speed you can, that we may certify his lordship therein, according to his commandment, within such due time as he hath appointed. And so we take our leaves, and rest Your loving friends,

ROGER PARKER.
GEO. ELAND.

Lincoln, Jan. 30, $162\frac{5}{6}$.

No. LXV.—(*Referred to at page* 163.)

*** *Pope Urban VIII. to Louis, king of France, Sept.* 21, 1626.

[Regist. Authent. Epist. ad Princip. Hom. 327 a tergo. MS. in the Vatican Library.]

Charissime in Christo fili noster, salutem, &c.—Obstupefecit Europam nuncius Britannicæ inhumanitatis; et, in meditatione fidelium animarum, exardescit ignis justissimæ indignationis, vocantis fulmina cœli contra hostes Christi, et contemptores majestatis tuæ. Creduntur tamen conticescere supplicia divinæ ultionis, vel ut in Anglicani regis corde maturescant fructus pœnitentiæ, vel ut pateat, iræ Omnipotentis ministrum sufficere terris Ludovicum regem. Regina Britanniæ, et soror majestatis tuæ, contra jus gentium, contra fœdus connubii, contra leges humanitatis, vivere cogitur in solio infeliciùs quàm in carcere, viduata familiaribus, obsessa hæreticis; et reperiuntur qui cogitent gavisurum esse tam atrox scelus impunitate! Omninò illi ignorant ingenium christianissimi regis, parvi faciunt spiritus Gallicæ nationis, qui tam ingenuæ sententiæ suffragantur. Impietatem, sibi communibus tantùm nominibus per ea tempora invisam, in remotis orientis arcibus adoriri olim non timuit Gallia triumphatrix; atque hodie patietur se despectui fuisse hæresi, fidem violanti, et speciosam regalis nidi columbam inter cruentes vulturum ungues, desidiosa spectatrix, in proximo Angliæ littore contemplabitur?—Non ita de nobilissimo isto regno sentimus. Inermia commiserationis officia, et lachrymæ nihil proficientes in injuriarum dolore eos tantùm decent,

quos ira potest armare, non potentia: at enim ad dominantes pertinet ostendere generi humano, tela ultionis cœlestis non solùm torqueri à nubibus corruscantibus, sed etiam ab iratis regibus, quorum potentiam non rarò Omnipotens esse voluit suæ indignationis flagellum. Quæ consilia, in tam sacrilegâ religionis et regni contumeliâ, è cœlo demittantur ad majestatem tuam, facilè possumus conjicere, qui scimus à sublimi isto ingenio eos triumphos exoptari, qui flagella inferni habeantur. Voluimus tamen, in hoc sævientis Britanniæ tonitru, pervenire ad aures tuas apostolicam vocem, testem paternæ solicitudinis, et, si Pater misericordiarum precibus nostris annuet, indicem divinæ voluntatis. Procubuimus, passis manibus, ante crucifixi Domini imaginem, simul ac tantum facinus audivimus: primum autem orationis nostræ votum fuit, ut Britannicum illud edictum quamprimùm antiquetur, et alienæ potiùs perfidiæ consilium, quàm regalis constantiæ pateat fuisse decretum. Docet enim nos charitas Christi diligere etiam inimicos nostros, iisque pœnitentiam potiùs quàm pœnam à Deo flagitare. Quòd si in eâ aulâ tàm insolenter diabolus triumphat, ut de magnitudine crudelitatis, tanquam de potentiæ vi, glorietur, oravimus, et semper orabimus, Deum ultionum, ut brachium tuum cum potentiâ ad officium redigat eos principes, quos neque vox humanitatis, neque authoritas cœli permiserit. Inveniat autem Deus Omnipotens et rex christianissimus, ne ecclesiæ et Galliæ impunè se illusisse glorietur impietas. In sermone cardinalis Spadæ, sententiam nostram declarantis, agnosci cupimus eam anxiæ charitatis solicitudinem, quæ non patitur aliquid existimari à nobis alienum, quod ad christianissimam domum pertineat. Si hodiè, potentissime rex, audiens vocem cœlestis exercitûs, seriò decreveris arma potentiæ tuæ fieri propugnacula tantummodò religionis orthodoxæ, dominabitur, jubente Domino, in animis procerum concordia et fides; neque istic ea scelerum monstra debacchabuntur, quæ ulcisci cogeris in propriis provinciis, dùm in alienis insolenter jactitat hæresis perduellis, armari se clypeo majestatis tuæ. Hortationes has speramus fore, ut quamprimùm convertamus in laudes. Quid enim in præsente discrimine decreturus sis, evangelia illa declarant, quæ, tanquam testimonia æternitatis, ritè tetigisti, dùm, in Anglicani matrimonii pactis, Spiritui Sancto et nobis regiam fidem obligasti. Deum regum arbitrum, qui non rarò ex calamitatum semente messem beneficiorum educit, supplices rogamus ut, in præsente rerum turbine, augere velit regiæ sororis solatium, et cum salutari aliquâ Anglicanæ ecclesiæ prosperitate conjungat gloriam majestatis tuæ, cui apostolicam benedictionem amantissimè impertimur. Datum Romæ, apud S. Mariam Majorem, die 21 Septembris, 1626, pontificatûs nostri anno tertio.

*** *The same to Philip IV., King of Spain, Sept.* 21, 1626.

[Regist. Authent. Epist. ad Princip. Homines, 332. MS. in the Vatican Library.]

Charissime in Christo fili noster salutem, etc.—Enimverò tumefacta propriis sceleribus, et diabolicis fœta consiliis, Britannia nimis insolenter despicere audet reges orthodoxos. Credimus ad aures majestatis tuæ pervenisse quid monstri nuper in regio thalamo illic protulerit perfidia et impietas. Quid autem, anno superiore, temeraria illa prædonum classis in Gaditano litore tentaverit, non potest non indignari qui recordatur. Coercenda certè est tam effrenis audaciæ barbaries, ne duobus potentissimis orbis regibus impunè se illusisse Anglia glorietur. Quæ consilia, in præsente rerum opportunitate, sequi studeat tùm ira tùm pietas, non difficile est prævidere. Nos quidem existimantes maximæ curæ esse majestati tuæ injurias affinis reginæ, et causam catholicæ religionis, Deum anxiis precibus orabimus ut Spiritûs Sancti radium immittat menti majestatis tuæ, atque id decernere in tàm gravi deliberatione doceat, quod tibi gloriam ferat, et solatium ecclesiæ. Nuncio nostro, quid præcipuè sentiamus declaranti, eandem quam nobis ipsis fidem habere poterit majestas tua, cui apostolicam benedictionem amantissimè impertimur. Datum Romæ, apud S. Mariam Majorem, die 21 Septembris, 1626, pontificatûs nostri anno tertio.

No. LXVI.—(*Referred to at page* 163.)

*** *Extracts from the Life of Pope Urban VIII.*

[Barberini MS. ut sup. tom. ii. cap. 6.]

A primi avvisi che giunsero a Roma di sì mali trattamenti, che riceveva la regina, nella persona propria, e nella religione, si commosse indicibilmente l'animo di Urbano ; onde, dopo aver osservato gli andamenti del parlamento Inglese, e le risoluzioni del Bocchingam, il quale per ogni ragione doveva porsi sotto la protezione della sua principessa, sua santità scrisse un breve, in fin dal mese di Maggio, 1626, al rè cristianissimo, nel quale seriamente ammonillo de' giuramenti datigli dal rè Inglese, e di quelli da lui medesimo fatti alla sede apostolica, per la salute della regina, e per l'incolumità de' cattolici in Inghilterra : al quale breve aveva risposto il cristianissimo una lettera di promesse generali, e di risoluzione di attender per da vero all' affare, con la missione di ambasciatori a Londra, per farsi osservare le convenzionidel matrimonio della sorella. Ed essendo giunte a Roma novelle della peggior piega che tuttavia pigliavan le cose dell' afflitta regina, e le doglianze che ne faceva in Parigi il vescovo di Mendes, il papa (22 Sett. 1626) ordinò nuovi brevi al medesimo rè di Francia, alla regina madre, ed al cardinale di Richelieu, a fine di chiuder loro le orecchie agl'

artificj degl' Inglesi, e di aprir ben gli occhi sopra i maniamenti de' medesimi, e sopra gli oltraggi che facevano alla corona di Francia. Ed, in vero, quando ultimamente la santità sua, per avvisi pubblici, e per quelli dati dal nunzio, sotto li 25 Agosto, aveva inteso a qual segno di sfacciataggine era giunta la temerità del rè Inglese, e di quelli che lo reggevano, non seppe la santità sua astenersi di dire a M. Bettunes, che ormai non era più tempo di addormentarsi sopra tal affare, nel quale ben si vedeva che l'infideltà del calvinismo verso Dio, e verso gli uomini, non lasciava più luogo alla speranza delle negoziazioni. * * Di questo fallo (il matrimonio), soggiunse il papa a Bettunes, esser tempo di farne l'espiazione coraggiosamente, col farsi adempir ciò che era stato promesso, o col torre al cognato quella corona, che illegittimamente portava come eretico appresso a Dio, ed indegnamente come mancator della sua fede fra gli uomini: aver la misericordia divina costituite le cose del mondo in grado, che l'esterne della Germania, e gl' imbarazzi del Turco col Persiano, davano adito di pensare a cose grandi, e di perfezionarle; e le interne della Francia questo richiedevano, e le viscere dell' Inghilterra stavano talmente disposte, che ammettevano qualsivoglia minima risoluzione che facessero i due rè (di Francia e di Spagna), per vendetta de' communi oltraggi, e per unirsi di maniera al servigio di Dio e della religione cattolica, che, dove entrasse alcun risguardo di benchè picciol danno di questa, cessasse fra essi ogni gelosia, ed ogni altro rispetto di alleanze e di acquisti. Per tanto la santità sua offerivasi per mediatore, quando avesse veduto ove piegavano le due corone, ed avrebbe fatte le sue parti, perchè, allora sarìa stato tempo di valersi dell' autorità apostolica, la quale avrebbe avuta pronta l' esecuzione; e tanto più l' avrebbe fatto, perchè, oltre al potere che aveva contro quel rè, come nemico della fede cattolica, teneva giusto titolo sopra l'Irlanda, ch' era di diretto dominio della santa sede. * * *

Ne' medesimi termini parlò poscia (Urbano) al conte di Ognate, rammentandogli le trame degl' Inglesi, coll' andare ad infestare diversi porti di Spagna, gli odj naturali e personali che professava il Bocchingam contro il conte-duca, l'offesa nell' aver riceduto dal trattato del matrimonio, i danni orditi alla causa d' Austria nella Germania e nella Fiandra, la disposizione a nuocere, per quanto avesse potuto, nelle turbolenze d' Italia, l'offesa della regina cognata al rè cattolico, che sarìa stata bastante a muovere, non che un cognato, ma un prode cavaliere, a vendicar tanta barbarie. * *

Tale fù il filo che in Roma attaccò Urbano di quella prattica, e con segreto strettissimo fecelo partecipar al nunzio Spada, acciocchè con tutto lo spirito lo raccomandasse alla risoluzione e costanza del rè, della regina madre, e de' ministri, col procurar che dessero ordine all'

ambasciatore Francese in Ispagna di camminar sinceramente, siccome, all' incontro, la santità sua avrebbe posto ogni studio di far giunger li medesimi ordini all' ambasciatore di Spagna, residente in Parigi, e ad amendue che fosse imposto d' intendersi co' ministri della sede apostolica, e con gli ambasciatori residenti in Roma, a fine di passar avanti per la più breve e corta via, in affare di tanto relievo, per mettere al coperto l'interesse della religione, con le promesse e giuramenti del cristianissimo verso la sede apostolica, a contemplazione della dispensa.

Fece il nunzio Spada con incredibile avvedutezza le sue parti: e primieramente riunì gli animi del marchese di Mirabel, ambasciatore Spagnolo, et di P. Berullo, i quali dovevano essere i ministri che, più d'ogni altro, avevano adoprarsi nell' affare. * *

Fù adunque deliberato dal rè di partecipare il negozio a M. di Fargis, suo ambasciatore in Madrid, per scoprire i sentimenti della corte di Spagna: ma, nel medesimo tempo, per non far apparire scopertamente questo trattato di lega, prese, per espediente, d'inviar a Londra il maresciallo di Bassompierre, coll' oggetto di trattar col negozio la soddisfazione della regina, e de' cattolici scacciati, con farli richiamare alla sua assistenza.

Intanto, circa l'unione delli due rè, per vendicare i sopradetti oltraggi, Richelieu fece promessa a Mirabel che il rè cristianissimo non si sarebbe mai accomodato coll' Inglese, senza il cattolico: che la Francia, non avendo attualmente vascelli, non poteva promettere gran cose, ma che ben presto si sarìa posta all' ordine, e fratanto avrebbe dato libero accesso in tutti i suoi porti del mar oceano all' armate di Spagna, e per lo contrario, avrebbegli chiusi all' Inglese: che l' ambasciata di Bassompierre, come pensata per addormentar l' Inglese, sarebbe terminata ben tosto; poichè il rè avevagli ordinato che, non ricevendo soddisfazione alla seconda udienza, se ne tornasse senza aspettar proposizioni Inglesi, quando ben fossero il pieno delle sue istanze: esser gl' Inglesi così superbi e folli, che non era da credere si piegassero alle dimande che sariano loro fatte; sicchè prevedevasi che l' ambasciata di Bassompierre poteva riputarsi frustratoria; ma che, in ogni evento, quando anche il cristianissimo si fosse accomodato con esso loro, si obligherebbe al rè cattolico di concedere all' armate Spagnole la medesima comodità de' porti, per ogni tempo avvenire. * * * Ma l'ambasciatore non disse cosa alcuna, per la quale il cardinale potesse entrare in concetto di tentativo propinquo da farsi dagli Spagnoli; sicchè lasciò gran luogo di dubitare delle lunghezze solite di Spagna, o di disegno di profittar troppo su le passioni conosciute ne' Francesi, o di voler ingroppar ne negozii d' Inghilterra anche quei di Germania; accidenti tutti da far raffreddare i bollori Francesi. Con tutto ciò, non fù disciolta la tratta-

zione, anzi vicendevolmente fù incaricato il segreto; a tal segno, che nemeno il vescovo di Mendes, con tutto che infervorato contro gl' Inglesi per la sua espulsione, ed ogni giorno allato del cardinale Richelieu, non n'avesse, nè molta, nè poca, notizia di questa negoziazione. Fù parimente concertato che a Bettunes non se ne scrivesse nulla, e che, eccettuato al papa, il nunzio ancora si astenesse di minutarne un iota con alcuno; anzi nemeno ne fosse fatto consapevole il Bassompierre, che andava a Londra, la cui istruzione dovesse restringersi solamente per la restituzione delle cose della regina nello stato primiero. Con questi appuntamenti, e per le strette istanze del Berullo e del nunzio, si dispose finalmente Mirabel di scrivere in Ispagna l'abbozzo del sopradetto negoziato.

Risaputosi dal papa l'operato in Parigi, per unir le due corone, commendò la vigilanza del nunzio Spada, ed il zelo del Berullo. (*Lettere della Segretaria di Stato al nunzio*, 3 *Nov.* 1626). * * * Ed, in vero, il Berullo non poteva trattare con maggiore accuratezza e zelo. Anzi, essendogli vivamente a cuore la riputazione del pontefice, ed il vantaggio della sede apostolica, insinuò al nunzio che il suo intento era, che l' Irlanda per lo meno in sovranità si acquistasse per la santa sede, ancorchè vi si avesse a costituire un vicerè, o altro simile rappresentante: che questa sarìa stata una nuova gloria da rendere più sempre immortale il nome di papa Urbano; ma che, per allora, era espediente che, dal canto di sua santità, non se ne fiatasse. Conobbe anche il nunzio che questo era punto di gran considerazione, per non cagionar sospetto e gelosia nelli due rè, ed anche di Richelieu, e tanto più perchè gli ufficj del pontefice non portassero alcun sembiante di proprio interesse, per rispetto alle ragioni della chiesa sopra l' Irlanda; onde andò assai circospetto nel parlarne. * *

Altri mali ufficj fecero in Savoja ed in Venezia gli ambasciatori Inglesi, contro i trattati delli due rè, circa la pace; di che aspramente si dolse, una mattina (Dec. 2, 1626), il papa con Bettunes. L'ambasciatore, per divertirlo, entrò a trattar dell' accoglienze ricevute dal Bassompierre in Londra; disse che, nella prima udienza, fù trattato male, e con aperta esclusione del tutto; nella seconda, fùgli promesso il ritorno della maggior parte de' Francesi licenziati, con la mutazione di alcuni altri; e nella terza fùgli detto che, in risguardo del rè cristianissimo e della regina, sarebbero sollevati i cattolici d' Inghilterra; ma che del tutto gli sarebbe data risposta più precisa. Ripigliò il papa, che il rè di Francia doveva premere nell' osservanza di tutti gli articoli promessi, e non quietarsi mai senza di questo. * * *

Aveva il papa atteso con anzietà l'evento della negoziazione del

Bassompierre; e, risaputa tutta la serie, se n'era grandemente amareggiato, scorgendo che, nella forma da lui tenuta, non veniva punto sollevata nè la regina, nè la religione. Onde scrisse nuovi brevi al cristianissimo, alla regina madre, ed a Richelieu, animandoli a vendicar, una volta per sempre, da un' infelice servitù la medesima religione, e la regina; anzi a stabilir, all' una ed all' altra, un trono durabile e glorioso. Il nunzio, e con la gravità naturale del tratto, e coll' energìa di parlare, adempì sempre egregiamente le sue parti, ed, in specie, col presentar quest' ultimo breve alla regina madre, co' sensi del pontefice. Rispose ella virilmente (*Lettere del nunzio Spada*, 18 *Dec*, 1626) che, fin dal primo giorno che si udirono gli accidenti d' Inghilterra, aveva creduto e professato con tutti, che da si gran male Iddio avrebbe cavato gran bene, volendo inferire alla lega ordita: che la regina, sua figlia, andando alle nozze, passata che ebbe il mare, concepì si grand' avversione al paese ov' ella entrava, ed alle persone co' quali s'incontrava, che pareva appunto che il Signore Iddio l' andasse provvedendo di antidoto contro il veleno degli allettamenti Inglesi, che potevano agghiacciarle la religione nel petto: che ogni dì scriveva di voler tornare in Francia, o, per lo meno, vedersi con sua madre, per comunicarle delle particolarità non comunicabili, nè alla penna, nè a terza persona. Allora il nunzio proruppe, dolendosi della legazione del Bassompierre, ch' era stata si malamente [stimata] dal papa, e, specialmente, che alle risposte, dategli da' commessarii Inglesi, non avesse data alcuna replica, sopra quei particolari, che si impudentemente erano stati da loro toccati, circa le promesse fatte per la religione cattolica.

A questo motto, la regina madre rinnovò anch' ella le sue querele, chiamandosi malamente soddisfatta dal Bassompierre. Nel medesimo tenore parlò poscia al rè, con la presentazione del suo breve, aggiungendo che sua santità ricordavagli ch' era tenuto, per giustizia, e per onor suo, e della corona di Francia, a farsi osservar *ad unguem* tutte le promesse matrimoniali, nè potersi sua beatitudine mai imaginare che la maestà sua tralasciasse di farsi mantener la parola meno di quello, che vi premerebbe ogni privato cavaliere; e tanto più che gl' Inglesi, con impudente scrittura, avevano diffamato i Francesi di collusione, fatta per ingannar il papa ed i cattolici[1]. Ma le risposte del rè non furono si ardenti come della regina madre. * * *

[1] [The queen alludes to the assertion of Charles, that the engagement contained in the *ecrit secret* was intended only to amuse the pope, and thereby to obtain the dispensation. This, with the other parts of the reply made to Bassompierre by the commissioners of the English king, and delivered to him in writing, is inserted in a previous part of the MS.; but, as the whole is given more fully in the memoirs of Bassompierre, and has been frequently published elsewhere, I have omitted it here.—*T.*]

Intanto fè ritorno a Parigi il Bassompierre, con sì poco applauso e soddisfazione del rè e della regina madre per i suoi negoziati, che tanto le maestà loro, quanto i consiglieri ed ogni altro personaggio della corte, gli rinfacciarono i termini improprj da lui tenuti in quella spedizione, senza ritrarne punto di sollevamento, nè per la religione, nè per i cattolici. E fra l'altre taccie che se gli diedero, l'una fù, d'essersi così strettamente unito col Bocchingam, che, per secondar le sue voglie e passioni, faceva ogni studio per farlo tornare a Parigi, rappresentando che il Bocchingam era uomo schietto, e pieno di ottimi sensi, e disposto, in somma, a far che la Francia ricevesse ogni compiuta soddisfazione dall' Inglese: ma questi artificj versavano per impedir che la regina d'Inghilterra non tornasse a riveder la madre ed il fratello; di che viveva tanto anziosa. Sicchè nè il cristianissimo, nè la regina madre, nè Richelieu, prestarono mai il consenso che il Bocchingam si trafferì a Parigi, improbando e censurando unitamente al Bassompierre ogni sua negoziazione.

Tornò di nuovo il nunzio Spada a dolersi col rè (*Lettere del nunzio Spada*, 15 *Feb.* 1627) che l'imbasciate inviate da sua maestà all' Inglese fossero riuscite infruttuose per la religione cattolica; anzi quella del Bassompierre avesse data occasione di scandalo e di costernamento a quei poveri cattolici, avendo essi veduto che i ministri Inglesi avevano rinfacciato al detto Bassompierre i patti elusorj di quanto aveva il papa desiderato, e sua maestà promesso e giurato, a favor della religione. Il rè, senza rispondere nulla, intorno ai patti, proruppe a detestar l'azioni del Bassompierre, quale non aveva approvate, nè approverebbe, nè in quanto alla materia, nè in quanto alla forma. Ratificò parimente di non aver voluto permettere che il Bocchingam tornasse in Francia, nonostante che il Bassompierre lo celebrasse per uomo di ottima intenzione, e che dalla sua venuta a Parigi promettevasi effetti mirabili; e nonostante ch' egli si vantasse di aver operato che si potesse mandare in Inghilterra un vescovo, purchè non fosse quello di Mendes, e così anche un ciambellano, altro che il conte di Tigliers, due dame da Tur, dodici sacerdoti (ma non di congregazione), con un secondo segretario, ed un secondo medico; poichè nel primo luogo di ciascuno di questi ufficj il rè Inglese intendeva di metter persone sue confidenti:—alle quali condizioni, soggiunse il cristianissimo, egli non avrebbe mai consentito. * * *

Andò nondimeno ogni dì più pigliando piede il trattato della lega (*Lettere del nunzio Spada*, 26 *Feb.* 1627), maneggiato, come dianzi fù detto, dal Berullo e Mirabel; e perchè a questo premeva alcun temperamento circa gli Olandesi, Richelieu, per agevolare l'affare, diè

promessa che, per un anno intiero dal giorno della mossa contro l'Inghilterra, non si darebbe agli Olandesi dalla Francia alcuna assistenza nè ajuti, ordinarj o straordinarj : anzi il medesimo cardinale diè parola che incamminerebbe trattato di tregua fra il rè cattolico e gli Olandesi, ed, in fatto, incominciò di trattare di rivocare i capi Francesi dall' Olanda.

Dall' altro lato, Mirabel faceva istanza, per parte del cattolico, che si sollecitasse la mossa ; e giunse, al punto di contentarsi, ch'essendo in ordine molti vascelli Francesi, ed altrettanti di Spagnoli, militassero tutti sotto un capo, e sotto lo stendardo Francese : e perchè i medesimi Francesi non erano bastantemente all' ordine per un' impresa si grande, fù data la cura al nunzio Spada di andar disponendo lo Spagnolo a muoversi prima de' Francesi, e ad offerir alle genti Spagnole, per parte del cristianissimo, in sul principio, porti, vittovaglie, e desistenza, per un anno, dall' ajuto degl' Olandesi, fintanto che la Francia, fatta più poderosa, e specialmente de' vascelli, che attualmente a tal fine si fabricavano in Normandia, potesse apertamente contestar la guerra all' Inglese ; sopra di che chiedeva tempo fino al Maggio dell' anno seguente. * * *

In quel mentre tornò a Parigi il corriere di Spagna (*Lettere del nunzio*, 9 *Aprile*, 1627), con avvisi che il rè cattolico contentavasi di muoversi il primo, come veniva desiderato da' Francesi, purchè da questi si concedessero unitamente le due offerte altrevolte alternativamente proposte, cioè, che il cristianissimo si obbligasse di muoversi nel mese di Maggio, o di Giugno, dell' anno seguente, e che presentemente accomodasse l'armata cattolica di alcune gallere ed altri legni. Portò anche nuova il medesimo corriere che il conte-duca (Olivarez) aveva in Spagna staccata la pratica, e dato ordine che sene staccasse una simile in Fiandra, col rè d'Inghilterra, il quale offeriva al cattolico sospensione d'armi per tre anni, o altro più lungo tempo, tanto a nome del rè di Danimarca, quanto degli Olandesi. * * * Il nunzio, nel portar quest' imbasciata al Berullo, sentì che il dispaccio, venuto ultimamente da Spagna, portava il capitolato della lega soscritta delli due conti Olivarez e Fargis ; la cui serie di capitolato, e per l'ordine, e per la forma, totalmente cangiata, era diversa da quella che fù mandata da Francia ; e benchè nella sostanza sembrasse la medesima distesa da Richelieu e dal Berullo, nondimeno si conoscevano, com' egli disse, le differenze da un Greco Omero ad un Latino. * * *

Alla fine (*Lettere del nunzio Spada*, 19 *Maggio*, 1627), dopo lungo dibattimento, alli 20 di Aprile, condiscese il cristianissimo a ratificar la lega già soscritta dall' Olivarez e Fargis ; e cio passò con estrema se-

gretezza ; * * e, nel giorno seguente delli 21, furono fatte le spedizioni in Spagna. Non fù cambiata una sillaba di tutta la tessitura rimandata da Madrid, con tutto che Olivarez avesse alterato l'ordine della primiera fatta in Francia. E benchè non si potesse ottenere che il cristianissimo si obligasse a tener presentemente in mare le galere ed altri legni, desiderati dal cattolico per la soprassoma, tuttavia si ottenne che il Francese si obligasse ad armare dieci o dodici vascelli, e tenerli ne' porti che risguardavano l'Inghilterra ; dichiarando che tal offerta era fuori degli obblighi del contratto, e solo per incontrare le soddisfazioni di Spagna. * * Dal altro lato, Mirabel professava che, tra il fine di Luglio ed il principio di Agosto prossimo, l'armata Spagnola sarìa stata pronta per investir l'Inghilterra e l'Irlanda, con cento-cinque vascelli. Ma il Berullo, che, quasi più d'ogni altro in quest' affare, segnalò la sua diligenza, sempre fù costante nel dire che, da quest' impresa delli due rè, potevasi ricuperar l'Irlanda per la sede apostolica, e la Roccella per la Francia ; essendo il [dominio] diretto di essa assai chiaro per i papi ; e non men chiaro l'interesse della corona di Francia che quest' isola restasse piuttosto in mano della santa sede, che de' Spagnoli, o d'altro dipendente da loro ; sicchè stante questa considerazione, il medesimo Berullo fece l'ultimo sforzo, acciocchè il papa, in questa collegazione vi avesse alcuna parte ; di modo che, ne' primi attacchi, acquisti, e stabilmenti, potesse la santità sua, con più vantaggio, insinuare le ragioni del dominio diretto della chiesa. Ma il nunzio sempre rispose coi sopraccennati motivi ; ed a Richelieu commendò la sua azione, ricordandogli la gloria, che gli sarebbe risultata appresso tutta la cristianità cattolica, e l'affetto che si sarebbe acquistato dal pontefice e di tutto il sacro consistorio ; trattandosi di un' impresa altrettanto ecclesiastica, quanto militare. * * *

SUPPLEMENTARY PAPERS.

See pages 83, 87.

[Since the preceding sheets were printed off, I have discovered a letter, written by Didacus de la Fuente, more generally known as the *Padre Maestro*, and addressed to Edward Bennet. It is in reply to a request from the clergy, that he would not oppose their desire of having him for their bishop; and clearly shews that the reason, which I had supposed to be unexplained, for withdrawing his name from the postulation, was his own earnest entreaty that he might be exempted from the office. I shall subjoin both the letter of the clergy, and that which la Fuente wrote in reply.—*T.*]

*** *The English clergy to Didacus de la Fuente, Sep.* 1, 1621.

[Original draft in my possession.]

Admodùm reverende pater, et eximie domine magister,

Tandem, Deo benè favente, et eximio domino legato, domino nobis in æternum observando, operam suam feliciter navante, ad vos advolat dominus Joannes Bennettus, rebus, jamdudùm à reverendissimo D. Archipresbytero constitutis apud sedem apostolicam prosequendis, ex condicto destinatus. Supervacaneum nobis foret eundem paternitati vestræ commendare, quem, et suo nomine, et legationis munere, et vestrâ notione, satis amplè vobis commendatum esse arbitramur. Illud unum duntaxat paternitatem vestram obnixè rogatam habemus, ne consilio et votis nostris de paternitate vestrâ ad illam qualemcumque dignitatem, de quâ agimus, promovendâ, pro innatâ suâ modestiâ ac humilitate, vel per se vel per alios quoscumque, obsistere velit. In cæteris, paternitatem vestram eidem domino Bennetto, tùm consilio tùm auxilio suo, impensè affuturam non dubitamus: siquidem ab excellentissimo principe, duce de Albuquercio, et paternitate vestrâ, proximè post Deum atque excellentissimum dominum comitem de Gondomar, nobis (ut scitis) propensissimum, totus rerum nostrarum successus pendet. Unde, quemadmodùm ille seipsum maximè unius dicti domini ducis protectioni in eâ curiâ submittere, ita paternitatis vestræ solius consilio se accommodare et, pro rerum conditione, inhærere statuit, utpote cui, velut episcopo nobis divinitùs designato, nomine universi cleri ac gentis Anglicanæ, obedientiæ suæ tesseram ex animo prælibare gestit. Quo in loco omnia apud nos sint, eidem domino Bennetto relinquimus paternitati vestræ referendum. Deum Opt. Max. &c.—Datum Londini, cal. Sept. 1621.

*** *La Fuente to Edward Bennet, Dec.* 18, 1621.

[Original in my possession.]

Admodùm reverende domine, mi colendissime,

Nihil mihi gratiùs jucundiùsve contingere potuit, quàm hìc habere reverendum dominum Joannem Bennettum, illius societate gaudere, et non solùm consiliarium audire, verùm in negotio magno matrimonii ducem sequi ; quò et meliùs et faciliùs rem ipsam habere valeamus. Tanta enim viri sapientia et zelus, cum mirâ suavitate et prudentiâ conjuncta, adhuc difficiliora superare poterunt.

Testatus est mihi omnium vestrûm in me perseverantem affectum, qui utinam tanto honori et oneri impar non essem, ut tantorum virorum jussioni in hâc parte effugium prætendere, ex vi ipsâ amoris et inclinationis quâ in vos omnes feror, non tenerer. Sed longè meliùs (pace vestrâ dixerim) meam excusationem admittere, ne, dum rem justam petitis, ex solâ propositione personæ, non omnibus ita probetur: quo fiet ut, hoc uno mutato, omnia in meliùs mutentur. Boni consulatis velim excusationem, non in peccatis, sed in amore et affectu satis sincero genitam et nutritam: et præcipuè dominationis vestræ auxilium imploro, qui, sicut primus et præcipuus auctor hujus consilii extitit, ut me honore magno afficeret, ita primus debet esse in mutando et emendando consilio ; quod vir ita sapiens recusare non debet. Felicissima cuncta deprecor reverendæ dominationi vestræ, quam Deus diù servet incolumem. Romæ, 18 Decembris, anno salutis 1621.

Reverendæ Dominationi vestræ addictissimus,

Frater Didacus de la Fuente.

ERRATA.

Page 48, line 15, for *opinion* read *opinions*.

Pages xxxviii. lxii. lxix. lxxvii. in the heading of Persons's Letters, for *A public letter*, read *An ostensible letter*.

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